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MIGRATION CHALLENGES

**in the European Union's
Eastern Neighbourhood**

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List of most frequently used abbreviations

WB World Bank

ENP European Neighbourhood Policy

IDPs Internally Displaced Persons

ILO International Labour Organisation

IOM International Organisation for Migration

ICMPD International Centre for Migration Policy Development

JHA Justice and Home Affairs

IMF International Monetary Fund

OSCE Organisation for Security and Co-Operation in Europe

UN United Nations

EU European Union

UNHCR United Nations High Commissioner for Refugees

CIS Commonwealth of Independent States

Introduction

In recent years, both in Poland and across Europe, the problem of international migration has been transformed from an issue which merely concerned a narrow group of analysts and officials into an area of interest for broad social circles and an important element of state policy. The significance of migration as a topic of public discourse has increased considerably. This has resulted from the emergence of migration challenges which are different from those that had hitherto existed, and which require new studies to be conducted and changes to be introduced in government policies. On a global scale, the total number of migrants has increased (according to the UN Population Division, currently there are approximately 200 million migrants worldwide – in 1980 this number was half that size), the participation of women in migration processes has increased, and the economic immigration has become a constant element of national labour markets. In addition, the process by which migrants concentrate in several of the world's most developed regions, is constantly ongoing. In Europe, migration has become a key topic of the public discourse in light of the ever more apparent difficulties with integrating migrants, and as well as the deepening demographic crisis.

Within the framework of the European Union a trend towards a progressing internationalisation of the migration issues has been observed, which requires current national concepts of migration policy to be changed. To date, Poland has not developed a coherent concept of its migration policy. However, mass labour migration, the demographic crisis, and increasing gaps in the labour market demands that this problem be dealt with urgently.

The area of Eastern Europe and the Southern Caucasus is characterised by its own migration specifics. Due to the two waves of enlargement of the European Union, that area more and more strongly participates in an immigration exchange with EU states. In this situation, the European Union will probably pay closer attention to migration flows on the territory of the former USSR. This publication should be treated as an analysis aimed at recognising and systematising the main migration trends in the states of the EU's eastern neighbourhood. This study contains analyses of both the general trends and the migration situations in the individual countries of this area.

This study covers the migration challenges in Eastern European countries (Russia, Ukraine, Belarus, Moldova) and the Southern Caucasus (Azerbaijan, Georgia, Armenia), that is, in those countries of the former Soviet Union, which border or will border in the foreseeable future with the territory of the European Union and are recipients of the European Neighbourhood Policy (ENP). Lithuania, Latvia and Estonia, which are not included in the study, are EU member states, whereas the Central Asian states do not participate in the ENP. However, due to numerous legal and factual interdependencies existing within the framework of the Commonwealth of Independent States, the discussed problem will (when justified) be presented within the perspective of the entire region.

Considering the difficulties with defining the phenomenon of international migration, the most general definition of this term has been assumed in this publication. 'International migration' will be deemed to refer to every relocation of a person outside the borders of his own country of residence, except for tourist or official trips. From the perspective of a given country, migrants are either immigrants or emigrants, i.e. persons staying in or leaving the country. Migrants will also be classified into permanent and temporary categories. The specifics of the migration situation in the post-Soviet region makes it impossible to apply the typology of 'temporary migrants' recommended by the UN, namely dividing the migrants into long-term (more than 12 months) and short-term. This is because (apart from legal migration for settlement purposes) irregular temporary departures, i.e. those whose duration cannot be specified, are most typical for this area. Similar difficulties are posed by the use of the refugee terminology adopted by the UNHCR. Reasons for this include the fact that in the first period of their independent existence, many countries assumed entirely different legal solutions, such as registering refugees as forced migrants.

The statistical data presented in the publication should be treated with some caution. Its imperfect reliability results both from the ineffectiveness of the migration registration systems in the countries of the area discussed, as well as their methodological failings. As registration systems were developed during the Soviet period for the purposes of strictly regimenting the relocations of persons, they cannot embrace the temporary migrations which are specific to the present era. The statistics usually cover emigrants who officially liquidated their households and departed permanently. Furthermore, the hetero-

geneity of the applied definitions of migration and the methods of data collection also constitutes an important problem. This makes comparison of the received data difficult. It remains an open question as to whether the methodology applied in other regions of the world is able to recognise all the types of migration flows in Eastern Europe and the Southern Caucasus. Yet another problem is caused by the insufficiently developed data collection infrastructure (especially in the region's poorer countries). Difficulties with delineating all the types of migration flows cause that authorities of the discussed countries sometimes complete the data provided to them by the registration offices the so-called VRD (Visas and Registration Divisions) with the border crossing statistics. Also, the results of national censuses are treated as an important source which fills the gaps in current statistics. Nonetheless, the data quoted unquestionably permit certain trends to be perceived, including the structure and evolution of migration flows.

This publication was developed on the basis of the analysis of available statistical materials, government documents, studies from analytical centres and international organisations, newspapers and magazines from the countries concerned. Also, expert visits to individual countries in the region discussed have played an important role in our preparation of this material. The study is composed of three parts:

- I.** The first discusses the conditions of the migration processes on the territory of Eastern Europe and the Southern Caucasus, including the border, socio-economic and demographic conditions;
- II.** The second presents the general characteristics of the migration processes specific to the EU's eastern neighbourhood;
- III.** The third describes the characteristics of the migration trends, and the migration policy of the individual countries in the region.

The publication presents the conclusions and opinions of its authors.

Theses

General theses

1. The genesis of modern migration movements on the territory of Eastern Europe and the Southern Caucasus should be sought in the common historical heritage of this region and the mass relocations of population which took place in the twentieth century. After the fall of the Soviet Union, external migration mainly constituted a function of the political and ethnic crises which emerged in connection with the process of the newly established countries defining their state identity. From the mid-1990s, these processes took on a more economic nature, and have started to counterbalance the results of socio-economic problems in the region's poorer countries, and to supply workers for the developing labour markets in wealthier countries.

2. The relatively high porosity of state borders, together with the border crossing regimes in force, are important factors affecting the shape of migratory traffic in the area discussed. Neither demarcation nor even delimitation was conducted in many areas. The situation is especially complex in the Southern Caucasus and Moldova, with self-appointed quasi-states controlling some border areas. Despite the trend among the individual states in the region to tighten up regulations on the movement of people, there is still a rather liberal border regime in force. A no-visa movement is common, except between Russia & Georgia and Armenia & Azerbaijan.

3. After the collapse of the USSR, all the countries of the area discussed experienced a considerable decrease in income and living standards of the populations. The economic growth recorded in recent years cannot reverse the inclination within these societies to labour migration, as there has been no simultaneous development of labour markets or increase in salaries. The visible differentiation in the pace of economic development allows us to divide the discussed countries into two groups: those which generate average income (Russia, Belarus, Ukraine) and those which generate low income (Moldova, Azerbaijan, Georgia, Armenia). Even though labour migration also occurs in the countries of the first group (especially in Ukraine), these countries are not yet so dependent on remittances sent by emigrants.

4. The process of the collapse of the USSR coincided with the growing symptoms of a deep demographic crisis. This particularly touched the northern and western areas of the former empire. Since the beginning of the 1990s, Russia, Ukraine and Belarus have recorded a deepening negative population growth rate. Also, a considerable decrease in population was recorded in the Southern Caucasus. However, this mainly resulted from escalating migration caused by a down reaching economic crisis and armed conflicts. Trends indicate that the demographic situation of individual countries in the area will continue to deteriorate. Forecasts for Russia and Ukraine do not preclude population numbers decreasing by over 30% until the mid-twenty-first century. Only external migration can ease the negative results of these processes. The significance of the Central Asian countries, which still have considerable population growth rates, and whose development level is lower than that of the remaining states of the former USSR, is growing considerably.

5. Migration patterns in the Eastern European and the Southern Caucasian countries display similar intensity and trends of development. These processes were at their fastest immediately after the collapse of the USSR. Currently they show a gradual trend towards stabilisation. In simple terms, migration movements in this area can be divided into ethnic and labour migration. Currently, labour migration is the dominant trend (to a great extent illegal). In some countries, especially in Russia, the significance of repatriation is growing. Most migration flows in the post-Soviet region take place within that area (except for the Baltic states). Yet another common feature of migration movements consists in its predominantly legally undocumented nature.

6. Migration processes have also become a distinctive feature of the region discussed. To put it simple, the countries in the EU's eastern neighbourhood can be divided into two groups: immigration states (Russia, and to a lesser extent Belarus) and emigration states (Moldova, Armenia, Georgia, and to a lesser extent Ukraine and Azerbaijan). The threat of illegal transit migration is very different – from Ukraine, which lies on the main route of illegal migration from Southern Asia into Europe, to Armenia, which is located on the periphery of the transit migration routes. Four countries (the Caucasian states and Moldova) have experienced armed conflicts on their territories as well as mass exoduses of their populations. A consequence of these conflicts has been the presence of a large number of refugees and internally displaced persons (IDPs).

7. A new phenomenon which the successor states encountered after the USSR's collapse, is irregular transit migration from Asia (South-East Asia and the Middle East), Africa and countries of the Commonwealth of Independent States, to Western European countries. The illegal nature of this process makes it difficult to estimate its real scale and dynamics, or to evaluate the scale of the threats connected with this phenomenon. However, it is unquestionable that this is an extensive burden on the barely developed migration management systems of CIS countries.

8. The migration policies of the individual Eastern European and Southern Caucasian countries are at different stages of development. However, migration systems in all the countries discussed feature several common properties, such as selectiveness, gaps in legislation and institutional back-up, repressiveness, and high levels of international cooperation. These migration policies are also influenced by the typical problems of countries undergoing transformation: institutional weakness, excessive red tape, corruption, and organisational chaos. It was only several years ago that the problem of economic migration was first dealt with, which was too late.

Country theses

RUSSIA

The Russian-language diaspora is the most numerous on the territory of the Commonwealth of Independent States, and living standards in the Russian Federation are higher than in most neighbouring countries, which generate a continually positive migration balance for Russia. At the beginning of the 1990s, migration compensated for most of the population losses resulting from the negative population growth rate in Russia. Currently, however, this proportion has decreased considerably.

Whereas in the initial period, ethnic migration was most important among the migration flows, it is currently economic migration (to a considerable extent illegal) which is now predominant. Russia is the largest labour market, which absorbs the excess workforce from neighbouring countries. Russians as a rule do not emigrate in search of work. The significance of the Russian Federation as a route for illegal migration seems to be decreasing as the logistic

costs of smuggling constantly rise, with a simultaneous increase in the degree of risk.

Russia has succeeded in developing a foundation of the migration management system. However, its effectiveness has been reduced by constant reorganisations, a lack of coherent assumptions of the state's migration policy, the excessive repressiveness of state structures, and corruption. Russian policy, as much in the field of migration as in others, bears an imprint of its imperialistic traditions, which affects the sphere of international contacts particularly strongly. The European Union and CIS countries are Russia's most important partners in this area. In its contacts with the EU, Moscow has emphasised the security issues and freedom to travel, whereas the CIS area is more frequently treated as a reservoir of cheap labour and re-emigrants who can ease the negative effects of the demographic crisis.

UKRAINE

The socio-economic crisis which Ukraine experienced in the 1990s resulted in a vast emigration of its population, both permanent and temporary. Only in 2005, for the first time in years, did the migration balance of Ukraine reach a positive value. According to official data, in the period from 1991 to 2004 over 2.5 million inhabitants left Ukraine, and around 2.2 million entered. There are also several million labour migrants outside the country. Their main target countries are the Russian Federation, Poland, Italy and Portugal. Through Ukraine goes intensive transit migration. The main channel of immigrants transfer through the Eurasian area cuts through the Russian-Ukrainian border, and then proceeds through Ukrainian territory towards its western borders.

The migration management system in Ukraine has not been fully developed. For several years, state administrative reform, which would include the current structures responsible for migration issues, has been announced. Ukraine adopted basic documents in the area of migration and refugees, and has developed general assumptions for its migration policy. However, this policy suffers from a temporary nature and the lack of afterthought. Its main objective is not to allow the country to be transformed into a centre for illegal migration, and to civilise the labour migration of its citizens. The aims of Ukraine's external policy in the area of migration consist of enabling free move-

ment of its citizens abroad and creating opportunities for them to work there, as well as obtaining financial assistance and advice from the international community to combat illegal migration.

BELARUS

Currently, legal migration movements in Belarus are not distinguished by any great intensity, and do not have any significant influence on the country's economic and demographic situation. Belarus has recorded a positive migration balance, which is gradually decreasing. Irregular labour emigration may apply to several thousand Belarusian citizens, who work mainly in Russia and Poland. Belarus poses a certain challenge to the EU as a possible transit country for illegal migrants. On the other hand, the Belarusian authorities are inclined to exaggerate the threat of illegal migration and use this phenomenon as a leading propaganda slogan in their dialogue with Western countries.

The migration policy management system is in the hands of the force structures. Security issues are its top priority. Fragmentary migrants' integration programmes have been implemented, mainly by international and non-governmental organisations. The migration management system is becoming increasingly subordinate to the control of society. In the past two years, the Belarusian authorities have adopted a series of provisions that hinder the exit of citizens and entrance of foreigners. These instruments enable the authorities to control the flow of people with respect to the political activity of migrants. The policy of the Belarusian authorities has led to a significant limitation of this country's activity on the international arena. In such a situation, Minsk appears in some way to be fated to develop its cooperation within the framework of the CIS.

MOLDOVA

Since the moment the USSR collapsed, Moldova has had a negative migration balance. It is the country of origin of many labour emigrants, even though it is out of the way of the main transit routes in the CIS region. That situation may change due to the recent EU's expansion, which included Rumania and Bulgaria. The scale of labour emigration is one of the most important social and economic problems in Moldova. It is estimated that there are around 600,000 Moldavians working outside the country, mostly illegally.

In Moldova, there are both wide-ranging governmental structures to deal with migration issues and basic concept documents dedicated to these problems. However, there are not enough efficient implementation mechanisms, including in the area of registering migration flows and combating illegal migration. The authorities aim to take over control of labour migration by signing agreements with other countries which would legalise the residence and employment of Moldavians abroad. Meanwhile, the assistance of the European Union has given Moldova the opportunity to order its migration management system and to improve control over its borders. Additionally, relationships with Russia remain a key issue. It is the most important labour market for Moldavian economic emigrants, and its influence on the situation in Transnistria is hard to overestimate.

AZERBAIJAN

Azerbaijan is a country with intensive, yet diminishing, migration flows. The most extensive migration took place at the turn of the 1990s, when as a result of a conflict with Armenia, nearly the entire Armenian population (except for this in Nagorno-Karabakh) fled the country, and mass flow of Azeri refugees arrived from Armenia and Karabakh. Currently, labour emigration is the main trend. Russia remains the main target destination for this type of movement. Azerbaijan is gradually becoming both a transit and destination country for immigrants and refugees from the East and South Asia. Also, the presence of the large number of internally displaced people (IDPs) who are refugees from the Karabakh conflict, should be noted here.

The authorities have been trying to create a comprehensive migration management system. Despite a certain progress, including the initiation of combat with illegal migration and attempts to take over control of migration flows, it seems in fact that Azerbaijan's system cannot deal with the increased migratory pressure, for instance the one caused by worsening of the security situation in the Middle East.

GEORGIA

Georgia is an emigration country. The main wave of migration movements occurred in the 1990s. Currently migration flows have stabilised. However, labour migration from this country is still in progress. The main destination

country is Russia although, because of the visa requirement for this country, Turkey and Western European countries are becoming increasingly popular destinations for migrants. There is a large group of internal refugees from South Ossetia and Abkhazia in Georgia.

Compared to its neighbours, Georgia has a poorly-developed migration policy which, together with serious deficiencies in the area of border protection, makes the control over the flow of people difficult. However, the aim of thoroughly restructuring the migration management system may in the longer term help in developing of a modern migration strategy. The main direction of the international cooperation which Georgia has been conducting in the area of migration is the European one. At the same time, improving relations with Russia is a very important aim of Georgian policy from the point of view of social needs.

ARMENIA

The fundamental demographic trend in independent Armenia is the mass emigration of its inhabitants. Russia remains the main target country. The Armenian-Azerbaijani antagonism has resulted in a mass exodus of Azeri inhabitants and an inflow of Armenian refugees from Azerbaijan.

Armenia has a relatively well-developed migration policy with a legal and institutional basis. However, some of the principles of this policy have not been enforced, which results from both financial difficulties and the ineffectiveness of the administration. In the area of migration, Armenia is conducting an active external policy. It cooperates closely with Russia, which allows the Armenian citizens to enjoy relatively good legal and social protection on the territory of the Russian Federation.

PART I

CONDITIONS

1. Border issues

The problem of border control poses a particular challenge to the countries of Eastern Europe and the Caucasus. It is connected to the fact that most borders in this area have only had this status for the past 15 years. This particularly applies to the poorer countries in the region, or those with borders that are particularly difficult to protect for geographic reasons. Also, cultural and ethnic factors play an important role – border lines often separate national groups or cultural and economic centres, which results in intensive frontier traffic.

The problems connected with borders' protection also have a political background. After the collapse of the USSR, the newly-formed governments, which were preoccupied with strengthening their statehoods, did not attach importance to securing their borders. The attitude of Russia was also of prime importance. For the first few years after becoming independent it enforced the concept of protecting the external borders of CIS instead of its own state borders. It is not possible to bring order to the situation on the borders without regulating their legal position. Meanwhile, unresolved border disputes are still in progress among the CIS countries; delimitation has not been conducted on many sections. Particularly complicated situations are found in the Southern Caucasus and in Moldova, where polities that have not been recognised by the international community, yet which are *de facto* independent, control certain sections of the state border. The issue of signing of border agreements is sometimes used as an instrument in current political games.

The problem of the comprehensive protection of borders of individual countries in the area became a real political priority relatively recently. It is only in the past couple of years that the state authorities, which were internally strengthened yet at the same time concerned with the increasing threats posed by illegal migration, smuggling and terrorism, have undertaken efforts to improve the situation on their borders. Also, certain external factors have influenced this evolution, especially changes in Russia's border policy and its

willingness to conclude treaties with the European Union on the mutual liberalisation of movement of people.

1.1. Legal status

Usually the ‘old’ borders, i.e. the former external borders of the Soviet empire, have a settled legal status. This includes the borders of Ukraine, Belarus and Moldova with their western neighbours, i.e. Poland, Hungary, Slovakia and Romania. Also, the northern and western section of the former external borders of the Russian part of the empire have had a settled status for years¹, even though the Russian-Norwegian conflict on dividing the Barents Sea shelf has remained unresolved for some time. There is no territorial dispute between Russia and Finland, although a few Finnish circles of thought have raised the issue of reclaiming the lands lost in the course of World War II. The situation of the eastern Russian borders is somewhat different; the border disputes in this region were ‘frozen’ during the USSR period, and difficulty in resolving them fell upon the new Russian authorities. The conflict with China is the oldest; in the mid-nineteenth century, the Russian empire forced the weakened Chinese empire to relinquish lands that had traditionally been owned by the Chinese state. This dispute was resolved in 1991, through a Russian-Chinese treaty on the state border. However, the status of several islands on the Argun river and on the meeting-point of the Amur and Ussuri rivers was only defined in October 2004. The Japanese claims in relation to the Southern Kuril Islands resulted in both countries still being unable to sign a peace treaty to end World War II. The ‘old’ borders of the Caucasian states (with Turkey and Iran) have been formally defined.

After the collapse of the USSR, the successor states took over the territorial *status quo* and accepted the former administrative borders which divided the individual Soviet republics. However, the adoption of the general inviolability of borders was another matter, as was defining these borders on the ground, considering that the previous borders between the Union’s republics had not been treated too strictly. Also, former territorial antagonisms, suppressed during the Soviet period, were reawakened. It should be remembered that many borders inside the Soviet empire were of an artificial nature, which failed to

¹ However the Polish – Russian dispute on sailing principles on the Vistula Lagoon and the Ukrainian – Romanian dispute concerning the delimitation of maritime boundary are still in progress.

consider historical, ethnic, economic and transport conditions. Also the financial factor came into play; demarcation is a costly and time-consuming process. In addition, concluding agreements on delimitation happens to be delayed for political reasons.

Russia, as the largest country in the CIS, located at the very centre of the region, plays the main role in the process of regulating the legal situation of the region's borders. It often initiates certain processes in border policy, which are then taken up by other countries. Russia's position regarding the legal regulation of its borders seems to be ambivalent. On one hand, Moscow aims to achieve strict control over its territory; on the other hand, for political reasons, it does not seem to be interested in legally setting out borders with the countries of the former USSR. Such a situation is apparent in the case of Belarus, which forms a common state with Russia. The Russian authorities have delayed signing a border agreement with Kazakhstan, which is densely inhabited by ethnic Russians, for quite some time. The delimitation treaty between these two countries was recently signed, in January 2005. The Russian and Ukrainian agreement on the delimitation of the state border was signed in January 2003, although it only referred to the land border, whose demarcation has not yet been initiated. It is not very likely that the division of the Sea of Azov and the Kerch Strait will be resolved in the immediate future. The positions of both parties are divergent; Russia wants these waters to have the status of 'common internal waters' of both countries, whereas Ukraine is in favour of separating them. A specific situation takes place at the border of Russia and the Baltic States. The sole border, which enjoys a regulated legal status, is the Russian-Lithuanian one.

Following the example of Russia, Belarus obstructs the completion of the process of regulating its border with Ukraine, treating the ratification of a border agreement as an argument of pressure in its financial dispute with Kiev. Meanwhile, the demarcation process of the border between Belarus and the Baltic states is currently in its final stage. The Moldavian and Ukrainian border has not been completely defined, as a considerable part of it is under the control of Transnistrian separatists.

The border situation is particularly complicated in the Southern Caucasus, where there have existed territorial disputes unresolved for many years. Georgia does not have control over two sections of its border with Russia, which

are under the control of separatist regimes of Abkhazia and South Ossetia. Meanwhile Nagorno-Karabakh, which is formally a part of Azerbaijan, as well as a part of the Azerbaijani territories which previously had not belonged to that autonomous region, are under the control of Armenian separatists. This implies that Baku not only does not control an extensive part of its border with Armenia, but also a fragment of its border with Iran. The legal status of the Caspian Sea remains unsettled. In addition, the borderline separating the Russian Northern Caucasus from Azerbaijan and Georgia has not yet been entirely demarcated.

1.2. The border protection system

In all states of the region, the authorities' aim is to exercise real control over the flow of people and goods across the borders. For many years since the collapse of the USSR, the borders between the republics have to a great extent remained unprotected. This was caused by both political reasons and financial difficulties. However, an increase in cross-border threats, Russia's tightening-up of its regulations for border crossing as well as the decreasing attractiveness of the integration model proposed by Moscow, have all resulted in the CIS states initiating a process of state border formation, understood as an attribute of state autonomy, and as a barrier against external threats. The process of developing the border protection system in the individual states of the region and on individual sections of their borders, is at different stages of development. The best protection systems are on those former external borders of the USSR where former Soviet infrastructure has been used as their core.

In the past three years, an increase in efficiency of the border protection system can be observed in Russia. In contrast to the 1990s, when Kremlin treated the protection of the entire state border (except for the Chechen section) as a secondary issue, the authorities currently wish to control the border more efficiently. The special focus is put on these parts of the border where Russia's economic interests may be infringed, and where threats to its security may emerge from. This policy is weakened by a certain ambivalence in the conduct of the Russian authorities, which simultaneously see in it an instrument for maintaining its influence on the post-Soviet area. The process of improving border protection has been of a relatively selective nature. For example, Russia does not seem interested in strengthening its borders with Ukraine and Bela-

rus. For some time, a similar attitude on Moscow's part made it practically impossible to protect the border with Kazakhstan. However, the growing threat of drug smuggling and illegal migration has forced Russia to start developing infrastructure along this border. Also, the process of changing the character of the border protection system from a linear to an operational system, as well as the full professionalisation of border divisions is underway.

Since July 2003, the Russian Border Service has been part of the Federal Security Service (FSB). This dependency has to a great extent determined the direction of the border service reform and the nature of its operations. The process of reforming the territorial structure of the border service, aimed at adapting it to the administrative structure of the country, is in progress. The first element of this reform was to establish new border regions, taking into consideration the division of the country into federal regions. Another stage consists in appointing lower-level territorial management units. An important element of restructuring the Border Service was the appointment in May 2005 of a coast guard.

The Russian border service inherited from the Soviet Union its dual nature, of a policing and military entity. The police division consisted of units responsible for border control, management and other administrative issues, whereas the border was protected by typical military units, which often participated in armed conflicts on CIS territory. Changing the border service into a more operational body was a declared objective of the authorities for many years. The process was actually accelerated once the border service was incorporated into the FSB. The reformed service has been granted new rights in the area of conducting operational, investigative and intelligence activities. Mobile special forces are being established. An important element of the reform is introducing fully professional border service units. According to official announcements, this process should finish by the end of 2008.

According to the federal programme entitled 'The State Border of the Russian Federation (2003–2010)', the process of equipping the border with appropriate infrastructure is in progress. It is worth noticing that after the collapse of the USSR, around 13,000 kilometres of border remained completely unprotected. The hugest resources are designated for equipping the border in the region of the Northern Caucasus. Expenditure of around 15 billion roubles is anticipated for this objective until the end of 2007. Also, the process of

developing the infrastructure on the border with Kazakhstan is underway; around 400 new border facilities should be established by the end of 2010².

Border systems of other CIS countries are undergoing similar reform. The Ukrainian State Committee for State Border Protection introduced a territorial structure reform several years before Russia. As a result, five regional management divisions were established. In 2003, the Committee was transformed into the Ukrainian State Border Service (USBS), a formation of a policing character, and with special status. The Ukrainian government is planning to turn the USBS into an entirely professional service by 2008. Even though since the collapse of the USSR, Ukraine has constructed a considerable number of new watchtowers and has distributed the border divisions alongside the entire state border, its protection system still differs considerably from the standards in force in the European Union. The greatest smuggling of goods and people takes place across the undemarcated border with Russia. In May 2006, the Ukrainian authorities informed about the construction of a 400-kilometre ditch alongside the border with Russia in the Luhansk Oblast.

The border protection system in Belarus is based on maintaining border troops of military type. The old border infrastructure operates on the Polish-Belarusian border. With assistance from Russia, Belarus is developing a border protection system on its borders with Lithuania and Latvia. The border with Ukraine is protected only by mobile divisions, and the border with Russia remains unprotected.

1.3. The border regime and visa policy

Factors such as cross-border ethnic, cultural and economic interdependences, intensity of labour migration and frontier trade, and a lack of social awareness of a border, all mean that maintaining the openness of borders is of key significance for the societies of the countries discussed. A liberal border crossing system between the CIS countries was introduced in 1992, pursuant to the so-called Bishkek Treaty. According to this document, citizens from CIS countries could move in mutual border traffic without visas. Moreover, it was com-

² See the interview with the Head of FSB N. Patrushev: *Rossiyskaya Gazeta*, 26 May 2006; and interview with General V. Denisov, Head of the Border Protection Management of the Border Service Organisational Department: *Gazeta*, 10–12 March 2006.

mon practice to use the so-called internal passports³ and a several other documents to cross borders. This situation was conducive to the development of illegal migration and cross-border crime, and failed to generate the anticipated integration effects. Therefore in 2000, Russia decided to withdraw from the Bishkek Treaty⁴. The termination of this agreement was also motivated by Russia's decision to introduce visas for Georgian citizens in connection with its deteriorating political relations with that country.

The withdrawal of the largest state called into question the necessity of the further operation of the Bishkek treaty. Individual states in the area started to conclude bilateral or multilateral agreements on no-visa requirements. The main multilateral agreement of this type is the agreement of 2000, which was concluded between the countries of the Eurasian Economic Community, i.e. Russia, Belarus, Kazakhstan, Uzbekistan, Kyrgyzstan, Tajikistan and Uzbekistan, which joined the organisation in 2006. In practice, the no-visa regime is still in force in relations between the Eastern European countries and the Caucasus; the aforementioned visa requirement between Russia and Georgia is an exception to this policy. Belarus was announcing introduction of the same measures towards Tbilisi. Moreover, due to the bad relations between Armenia and Azerbaijan, there is practically no movement of people between these countries.

Another step towards tightening the border crossing regulations in the CIS area was the introduction of provisions limiting the number of documents entitling a person to enter the territory of a given country. In principle, this trend is leading to the recognition of a foreign passport as the only such legitimate document. However, in relations between countries which cooperate closely, the former principles for movement of persons are still in force. The introduction of the so-called migration cards, which foreigners fill in when entering the country, also constituted a mechanism aiming at increasing the efficiency of control over the movement of persons. These cards have been introduced by Ukraine, Russia and Belarus. Some wealthier countries in the region also plan the introduction of biometric documents⁵, and the development of a biometrical database for people crossing the border.

³ Equivalent of ID cards.

⁴ After previous withdrawal of Turkmenistan and suspension of treaty by Uzbekistan.

⁵ Until December 2006 Russia issued 2,5 thousand biometric passports in few test regions of the country.

In general, there is a visa regime (in some cases one-sided) between the Eastern European & Caucasian countries and the countries of the European Union. The countries, which want to facilitate travel abroad for their citizens in the face of the oncoming expansion of the Schengen area by the new EU member states, are seeking to liberalise their visa relations with the EU, and total abolition of the visa requirement in the long-term. The first such agreement facilitating mutual visa traffic was concluded between the European Union and Russia in May 2006. Negotiations with respect to signing an analogous agreement are in progress with Ukraine (the agreement was paraphed in October 2006 during the EU–Ukraine Helsinki Summit). Moldova is also aiming for liberalisation⁶. Those states which have declared Euro-Atlantic integration as an objective of their foreign policy have unilaterally abolished their visa requirement for EU and US citizens, among others. Such decisions have been taken by Georgia and Moldova. Ukraine did not require visas from citizens of western countries in the period between May and September 2005, and then extended this concession permanently.

In the situation where a border regime becomes stricter, one method for limiting the difficulties connected with crossing the border may be to expand the border crossings' infrastructure and optimise the regulations for custom clearance. Nevertheless, the border infrastructure in the CIS countries remains outdated and insufficiently developed, and the rules for crossing the border are unclear and facilitate abuses of power. Different executive bodies, which double up their duties, are empowered to control the border crossings. There are also private enterprises operating on the border, selling insurance, among other activities. These places have different statuses, and some of them are owned by private owners. Many crossings are far away from the border. A good method for shortening the border crossing time is to introduce joint border clearances; such clearances function on certain Polish-Ukrainian border crossings. There are also so-called consultation points on this border, which facilitate rapid exchange of information about the frontier situation.

⁶ For more information see country analyses.

2. The socio-economic situation

The difficult socio-economic situation in Eastern European and Southern Caucasian countries is the reason of most migration movements. After the collapse of the USSR, all the countries in the region discussed underwent a considerable decrease in incomes and living standards, connected with the breaking of all the previous economic ties and the structural mismatching of the new economies to the requirements of the free market. Other reasons included malfunctioning economic policies. The economic growth recorded in recent years cannot reverse the inclination within these societies to economic migration, as there has been no simultaneous development of labour markets or any increase of salaries. Moreover, these countries differ in the level of their national incomes and labour demand. They also border on the wealthy EU, which encourages their citizens to look for employment in European Union countries. On the other hand, it should be remembered that the decision to leave the country is not taken by migrants on the basis of a strict analysis of economic conditions, but depends on many subjective factors.

The visible differentiation in the pace of economic development allows us to divide the countries of Eastern Europe and Caucasus into two groups: those which generate average income (Russia, Belarus, Ukraine)⁷ and those which generate low income (Moldova, Azerbaijan, Georgia, Armenia)⁸. Even though economic migration also occurs in the countries of the first group (especially in Ukraine), these countries are not yet dependent on remittances sent by emigrants. In connection with the considerable increase in prices of energy resources recorded in recent years, a group of countries exporting petroleum and gas (mainly Russia, but also Azerbaijan) can also be distinguished. These countries are recording a fast economic increase, which drives internal demand and stimulates the development of labour markets (for example, the mining, transport and construction sectors).

2.1. National income and economic increase

According to expert evaluations, in comparison with the final period of the Soviet empire, the average drop of the gross domestic product (GDP) in post-

⁷ Kazakhstan, which is not a subject of this report, should be also included into the list of these states.

⁸ Such typology is used by the World Bank (WB).

Soviet countries in the mid-1990s amounted to 50%⁹. This rapid drop in GDP resulted in serious social distortions. Even in the wealthiest Russia, the GDP has only surpassed that of 1990 as recently as January 2007. The GDP was principally falling until the period 1995–1996, to stabilise for a while until the financial crisis in Russia in 1998, which also affected the economies of other countries in the CIS region. In subsequent years, GDP gradually increased, reaching a particularly high growth in the period 2003–2004, which was caused by an increase in world prices for energy resources and metals (Table 1). In 2004, growth in GDP amounted to 7.2% in Russia, and 12.1% in Ukraine. The strengthening of national currencies, pressure from inflation and errors made by the authorities of individual countries, accompanying this phenomenon resulted in a smaller increase in 2005 and 2006¹⁰ (this does not refer to the Caucasian countries).

Table 1. Gross domestic product (GDP) in the Eastern European and Southern Caucasian countries

Country	GDP <i>per capita</i> in PPP* (US\$)			Real GDP increase (%)	
	2000	2003	2005	2004	2005
Russia	7,205	9,182	11,041	7.2	6.4
Ukraine	4,114	5,666	7,156	12.1	2.6
Belarus	4,809	6,104	7,710	11.4	9.2
Moldova	1,515	1,977	2,374	7.3	7.0
Azerbaijan	2,550	3,401	4,600	10.2	24.3
Georgia	2,229	2,970	3,615	6.2	7.7
Armenia	1,983	3,524	4,269	8.4	11.7

Based on IMF World Economic Outlook Database 2006

* Purchasing Power Parity

As can be seen from the table, Russia remains the wealthiest country in the region, taking the GDP indicator per person into consideration. It is closely followed by Belarus and Ukraine. The economic growth in Belarus is more stable, but one-sided and results from close economic relations with Russia, among other factors. In Ukraine the growth rate tends to be more erratic, although the country has a greater developmental potential. Azerbaijan

⁹ However these estimates should be treated with certain caution, as the statistical data in the USSR time were prepared according to a different methodology.

¹⁰ The specific economic situation exists in Ukraine, where in 2005 there was a minimal economic growth of 2.6% and in 2006 a considerably larger one i.e. 7%.

seems to have the best economic perspectives in the Caucasus, as long as it uses the profits from its export of petroleum rationally. For years, Moldova has been the poorest country in the region. The differences in GDP and the dynamics of the growth of this indicator directly translate into the migration trends among the societies of the countries discussed. The wealthiest countries have a considerably lower emigration level, and the recent cycle of economic growth had a great influence on the general reduction of migration pressure throughout the entire Eastern Europe and Southern Caucasus.

2.2. Labour markets

In the USSR period, official employment indicators were very high, which resulted, among other factors, from the obligation of principle of full employment as well as the low labour effectiveness. Simultaneously the salaries and incomes of the population remained at a relatively low, rather homogenous level. Formal unemployment was practically nonexistent. Salaries did not fulfil the function of payment for work, as happened in Western countries; they were merely one of many forms of social benefits. The structure of the labour market corresponded with the centrally-planned economic model, focusing on the development of heavy industry and close production links within the framework of the USSR. It was thus no surprise that after gaining independence, the labour markets of the Eastern European and Caucasian countries decreased, and the existing employment structure became unfit for the new conditions. The entire structure required changes; in the 1990s, the level of employment in industry dropped by several times in comparison with the Soviet period. Agriculture was developed in the poorer countries of the region. As emphasised by A.A. Moskovskaya, agriculture became a 'buffer against unemployment' in the CIS countries; cultivation of plots of land became one of the most important sources of income for these societies¹¹. Additionally, a gradual increase in the significance of the service sector was observed.

Unemployment (Table 2) also appeared, although still very much hidden, as the governments of the countries discussed maintained the illusion of total employment. This was not however backed up by appropriate salaries, considering the high rates of inflation and jumps in price. This trend was particu-

¹¹ A. A. Moskovskaya, *Zashchita zanyatosty y dohodov naseleniya v 'pyeryehodnyj pyeriod': problemy stran SNG*.

larly seen in countries where free market reforms were fragmentary. Thus, unlike in the Central European countries, the economic crisis was not accompanied by mass unemployment but by low payments. This phenomenon brought forth unofficial unemployment, manifested by employees working for only a symbolic amount of hours, or taking mandatory leaves of absence. Moreover, in almost all these countries, an increase in the percentage of the professionally inactive population was recorded (also among those of working age). On the other hand, in the CIS region there is a very well developed shadow employment. According to estimates it includes around 30–40% of the total working-age population¹².

Table 2. Unemployment rates in the Eastern European and Caucasian countries in selected years throughout the 1997–2003 period

Country	Unemployment rate (in %)			
	1997	1999	2001	2003
Russia	11.2	12.2	8.7	8.9
Ukraine	2.8	4.3	3.7	3.6
Belarus	2.8	2.0	2.3	3.1
Moldova	1.7	2.1	1.7	1.2
Azerbaijan	1.3	1.2	1.3	1.4
Georgia	8.0	5.6	5.5	...
Armenia	11.0	11.5	9.8	9.8

Source: United Nations Economic Commission for Europe, Department of Statistics¹³

All countries of the CIS experienced a considerable decrease in real salaries after the collapse of the USSR. Despite the increase in pay observed from the end of 1990s, it has as yet still failed to reach the level from before 1991. Moreover, these salaries are often set at a lower level than the social minimum, especially in the poorer region's countries. Another feature, which has been characteristic of the Central European countries as well, is differentiation of pay. Research conducted by the WB shows that this differentiation in CIS states reached a very high level, typical of developing countries (in Russia this ratio amounts to 1 to 11)¹⁴. Extensive differences are also present among the indi-

¹² O. Pavlova, O. Rohozynsky, 'Labour Markets in CIS Countries', Warsaw 2005, page 10.

¹³ This data, obtained from workforce evaluation, usually presents a higher number of unemployed persons than officially registered.

¹⁴ World Bank, Enhancing Job Opportunities: Eastern Europe and the Former Soviet Union, 2005, pages 91–92.

vidual countries in the region; in 2005, the average nominal monthly salary in Russia amounted to US\$302, and in Georgia to US\$50 (Table 3).

Table 3. Average monthly pay in 2005 (in US\$)

Country	Average salary
Russia	302
Ukraine	220
Belarus	214
Moldova	100
Azerbaijan	140
Georgia	50
Armenia	115

Source: Interstate Statistical Committee of the CIS

The importance of employment as a means for earning a living has been devalued by the existence of a high level of hidden unemployment, combined with low pay, which does not constitute a considerable financial stimulant for most social groups in the countries discussed. It has also considerably increased the attractiveness of the economic migration model. On the other hand, governments' susceptibility to artificially maintain high employment levels increases the passivity of a significant part of the population, which receives its salaries regardless of their personal involvement. Such a situation poses a threat of jumps in unemployment (and in consequence, an increase in economic emigration) in case of an economic crisis, and an inability to further subsidise a pay system that does not fit market requirements. On the other hand, passing radical neo-liberal reforms without the assurance of proper social protection can lead to an increase in the number of people leaving the country for economic reasons.

2.3. Poverty

One of the most important results of the economic transformation in the countries of Eastern Europe and Southern Caucasus has been a decrease in the living standards of many social groups, an increase in the number of people living in poverty, and a reduction of access to social benefits. In the second half of the 1990s, in most CIS countries over half of society on average remained below the minimum living conditions. In recent years, the poverty indicators in the Eastern European and Caucasian countries have improved; according

to calculations by the WB, between 5 and 20% of the population lives in absolute poverty in the wealthier countries of the region, and more than 40% in the poorer countries¹⁵.

Table 4. Poverty levels in the Eastern European and Caucasian countries in the years 2002–2003 (in %)

Country	Percentage of population living in absolute poverty (US\$2 per day according to PPP, 2000)		Percentage of population living in poverty (US\$4 per day according to PPP, 2000)	
	2002	2003	2002	2003
Russia	8.7		41.0	
Ukraine	3.2	1.4	31.0	22.0
Belarus	2.3		21.0	
Moldova	55.7	43.4	90.0	85.0
Azerbaijan	5.2	4.2	74.0	70.0
Georgia	49.3	51.6	45.0*	46.0*
Armenia	54.7	50.4	91.0	93.0

Based on I. Sinitsina, *Byednost y socyalnaya politika v stranach SNG*, Warsaw 2006

* The data referring to the number of people living off around US\$4 per day seems incredible, as this is smaller than the estimates for people living in extreme poverty (for around US\$2)

As Table 4 shows, the countries with an average income (Russia, Belarus, Ukraine) have relatively low levels of population living in conditions of absolute poverty (US\$2 per day) and high indicators of population living on around US\$4 per day. Even though the latter group is not extremely poor, it could easily become poor in the case of economic instability¹⁶. Meanwhile countries such as Armenia, Georgia and Moldova have a large percentage of extremely poor people. The situation in Azerbaijan is atypical; a relatively small number of people live in absolute poverty, although almost 70% of the population is poor. It should be remembered that the data indicated does not include incomes obtained in the shadow economy, which ease the effects of official poverty. Analysis of the poverty structure is one of the factors, which help to define those social groups who are most likely to emigrate. As in other countries in the world, professionally inactive persons, retired people, families with many children or incomplete families, the families of the disabled or people who are only formally employed, are those who are particularly threatened by

¹⁵ World Bank, *Growth, Poverty and Inequality: Eastern Europe and the Former Soviet Union*, 2005, page 2.

¹⁶ World Bank, *Growth, Poverty...*, *op. cit.*, page 1.

poverty. In the countries discussed more often than in another places, working people, mainly those employed in non-restructured branches of the economy and in agriculture, are also faced with poverty. Also, people with higher education are poorer than in other regions. A specific and particularly poverty-sensitive group is refugees and internally displaced persons¹⁷.

3. Demographic trends in the CIS area

The process of the collapse of the USSR coincided with growing symptoms of a deep demographic crisis. This particularly touched the northern and western areas of the former empire, which are mainly inhabited by populations of Slavic origin. Since the beginning of the 1990s, all the countries of this region have recorded deepening negative population growth rates. In Central Asia and in the Southern Caucasus, demographic trends are of a different nature, which results from the greater religious and cultural distinctness of these areas from the centre of the former empire. Central Asia, dominated by Moslem populations, was the most economically backward region of the USSR. For these reasons, whereas in the western part of the former USSR we observe demographic processes of a nature similar to those specific to the post-industrial Western world, in Central Asia these processes resemble those occurring in developing countries.

According to forecasts, the most populated countries of the CIS (Russia and Ukraine) may lose one-third of their populations by the mid-twenty-first century. Russian politicians believe that such a turn of events could threaten not only the state's power ambitions, but also its very security. With a population inadequate for an extensive territory that is rich in natural resources, Russia will become a 'morsel' for aggressive neighbours. In the nearer term, the decrease in population numbers, and therefore the workforce, may (according to politicians) stop economic development and strengthen the state's dependence on raw materials. Ukrainian discussions of this topic mainly emphasise the social outcomes of depopulation.

¹⁷ Internally Displaced Persons (IDPs) are persons who were forced or obligated to leave their place of residence, especially as a result of armed conflict, infringement of human rights or disasters and did not cross legally recognized state borders; definition used by the UNHCR.

The demographic crisis which the southern and western areas of the former USSR are undergoing is of a system- and civilization-based nature. In comparison with Western Europe, the negative consequences of the crisis are being magnified through the excessive consumption of high-proof alcohols, low levels of personal culture and insufficient health care. The development model which predominates in any given country is difficult to adjust quickly. Therefore, an active and consistent migration policy seems to be the most effective method of easing the negative effects of depopulation.

For states faced with the demographic crisis, the territory of the former USSR is natural ground for competition for the migrants which are desired. The sentiments maintained towards former fellow countrymen, numerous family and social contacts, easy communication, knowledge of the Russian language and certain cultural patterns make it easier for people raised in this area to integrate with the societies of other CIS countries. At the beginning of the 1990s, the migration wave was an impulsive phenomenon, connected with returning to the countries of origin and escaping from areas of conflict. The Southern Caucasus was a specific migration basin. However, the migration potential of this region seems to have been exhausted. The importance of the Central Asian states, which still demonstrate considerable population growth rates and development levels lower than those of other states of the former USSR, increases.

3.1. Number of population

Mikhail Tulsy, the author of the above table, attempted to use different sources, in order to verify the official data regarding population numbers, wishing to avoid duplication and distortion. It can be particularly clearly seen from the example of countries such as Turkmenistan and Russia that the numbers cited in the table differ considerably from those given by the official statistical authorities. According to the Russian Federal State Statistics Service (RFSSS), the population numbers in this country as of 1 January 2006 amounted to 142.7 million people, which is more than 3 million more than indicated by Tulsy. However, he claims that the data from the national census from 2002, taken by the RFSSS as base amounts, were distorted in some entities of the Federation (for instance in Moscow and Chechnya), and moreover they do not include people with unregulated legal status in the calculations. His number of the permanent CIS population seems to be close to reality. According to data

from the Interstate Statistical Committee of CIS, this number is much higher, and amounts to around 279 million people¹⁸.

Table 5. Permanent population in CIS countries in the years 1989–2006 (in thousands of people, as of 1 January of a given year)

Country	1989	1992	2002	2004	2005	2006
Azerbaijan (including Nagorno- Karabakh)	7,021	7,324.0	8,141.4	8,265.7	8,347.3	8,436.5
Armenia	3,305	3,694.0	3,212.9	3,212.2	3,215.8	3,219.4
Belarus	10,152	10,198.0	9,950.9	9,849.1	9,800.1	9,750.2
Georgia	5,409	4,865.2	4,371.5	4,315.2	4,289.1	4,264.0
<i>Abkhazia</i>		521.0	213.5	214.4	214.6	215.0
<i>South Ossetia</i>		81.2	50.0	49.4	49.2	49.0
Kazakhstan	16,464	16,451.7	14,851.1	14,951.2	15,074.8	15,217.7
Kyrgyzstan	4,258	4,502.0	4,946.5	5,037.3	5,092.8	5,138.6
Moldova	4,335	3,643.0	3,413.1	3,392.7	3,386.0	3,374.0
<i>Transnistria</i>		714.0	578.0	562.0	554.0	546.0
Russia	147,022	148,325.6	142,782.2	141,071.4	140,317.8	139,582.3
Tajikistan	5,903	5,505.6	6,375.5	6,640.0	6,780.4	6,913.0
Turkmenistan	3,523	3,970.0	4,889.0	4,965.0	5,008.0	5,051.0
Uzbekistan	19,810	21,106.3	25,115.8	25,707.4	26,021.3	26,328.0
Ukraine	51,452	51,802.0	48,221.1	47,442.1	47,100.5	46,749.2
Entire CIS	278,654	282,658.6	277,112.5	275,675.1	275,251.7	274,833.9

Source: Demoskop Weekly No. 237/8 (6–18.03.2006) and data from a national census conducted in the USSR in 1989. The so-called quasi-states are marked by italics in the table

The population number of the CIS area is gradually decreasing. As far back as in 1993, it was inhabited by over 282.6 million people; in 2006 it was almost 274.9 million, thus 7.7 million people less. Currently the rate of decrease is not great, as population shortages in some countries are being compensated for by an increase in this number in other countries, particularly in Central Asia. In comparison with 1992, the current number of the Ukrainian population has decreased by over 5 million people (almost 10%), and by over 8.7 million people (around 6%) in Russia, whereas in the same period the population of

¹⁸ www.cisstat.com/rus/060204.htm

Turkmenistan has increased by over 1 million people (around 25%), Uzbekistan by 5.2 million (around 25%) and Tajikistan by 1.4 million people (around 26%). These processes have caused the proportionate participation of Russia and Ukraine in the population of the CIS area to decrease. It should be anticipated that over the next few years the population of Russia will constitute less than half of the total population of the CIS. There are still differences in population density among individual countries in the region; in Moldova, for example, there are 111 people per square kilometre, in Kazakhstan only 5 people, and in Russia 8.

3.2. Natural growth

Table 6. General fertility rate in selected countries in the CIS area (number of births per 1000 persons) in the period 1950–2003

Country	1950	1960	1970	1980	1990	2000	2001	2002	2003
Azerbaijan	40.60	42.60	29.20	25.20	27.24	14.80	13.60	13.50	15.80
Armenia	33.70	40.10	22.10	22.70	24.00	9.00	9.10	10.00	11.10
Belarus	25.50	24.45	16.24	16.01	13.98	9.40	9.20	8.94	9.20
Georgia	24.40	24.70	19.20	17.70	17.10	11.00	10.80	10.70	11.20
Moldova	38.90	29.30	19.40	19.80	17.70	10.20	10.04	9.85	10.10
Russia	26.90	23.20	14.60	15.90	13.40	8.70	9.08	9.73	10.10
Ukraine	22.90	20.50	15.20	14.80	12.70	7.80	9.31	8.00	8.20

Source: www.demoscope.ru/weekly/spp/sng_cbr.php

Table 7. General mortality rate in selected countries in the CIS area (number of deaths per 1000 persons), in the period 1950–2003

Country	1950	1960	1970	1980	1990	2000	2001	2002	2003
Azerbaijan	11.10	6.70	6.70	7.00	6.00	5.90	5.60	5.70	8.80
Armenia	12.00	6.80	5.10	5.50	6.20	6.30	6.80	8.00	7.00
Belarus	8.00	6.60	7.63	9.90	10.75	13.48	14.07	17.78	14.50
Georgia	14.40	6.50	7.30	8.60	9.00	10.70	10.50	10.70	11.10
Moldova	11.30	6.42	7.39	10.09	9.72	11.33	11.04	11.55	11.50
Russia	10.10	7.39	8.68	11.02	11.20	15.33	15.62	16.25	15.30
Ukraine	8.50	6.90	8.80	11.35	12.13	15.39	16.43	14.00	16.30

Source: www.demoscope.ru/weekly/spp/sng_cbr.php

In the 1960s, the fertility rate exceeded the mortality rate by almost threefold in all the countries in the region. In Azerbaijan and Armenia, the difference was nearly sevenfold. It is interesting to note that in this period, the difference in number of deaths per 1000 inhabitants between individual USSR republics were minimal. However, the process of differentiation gradually started to take effect. At the beginning of the twenty-first century, the number of deaths per 1000 inhabitants in Azerbaijan and Armenia was nearly twice lower than that in Russia or Ukraine. Throughout the past half century, the general mortality coefficient in the Southern Caucasian countries has only slightly increased (mainly in Georgia), although in the countries with a majority Slavic population it was doubled. In Ukraine, as early as the beginning of the 1990s, the number of deaths and births was almost equal. In 2000, throughout the entire region, apart from the Southern Caucasus, the mortality rate has exceeded the analogous fertility rate. In Ukraine, where the situation has been most difficult, this difference was twofold.

An increase in the mortality rate is the key to explaining the phenomenon of negative population growth rate in such countries as Russia, Ukraine and Belarus, as the pace of the decrease in the fertility rate has been comparable in all the countries of the region. It should be anticipated that negative population growth rate trends will stabilise for a longer period, and will gradually include all countries, except most probably Azerbaijan.

The population in Russia and Ukraine constitutes nearly 90% of the population of the area discussed; therefore, the demographic processes taking place in both countries should be studied in greater detail, as they will have a dominant impact on the entire region.

For the first time in its modern history, in 1992 Russia came into contact with the problem of a negative population growth rate. Since this turning point, the number of deaths has permanently exceeded the number of births by over 700,000 cases per year. According to specialist evaluations, this trend will continue until at least midway through the twenty-first century. Whereas in the initial period, the negative growth rate was considerably compensated for by a positive migration balance, in the latter period, this compensation did not exceed 10% per year. The negative growth rate was accompanied by a shortening of an average life expectancy, which implies that Russia is experiencing a specific civilization regression.

Table 8. Population growth rate and life expectancy in Russia, 1991–2005

Year	Number of births (in thousands)	Number of deaths (in thousands)	Difference (in thousands)	Life expectancy
1991	1795	1691	104	69.01
1992	1588	1807	-219	67.89
1993	1379	2129	-750	65.14
1994	1408	2301	-893	63.98
1995	1364	2204	-840	64.64
1996	1305	2082	-777	65.89
1997	1260	2016	-765	66.64
1998	1283	1989	-706	67.02
1999	1215	2144	-929	65.93
2000	1267	2225	-958	65.27
2001	1312	2255	-943	65.30
2002	1397	2332	-935	64.80
2003	1477	2366	-889	64.90
2004	1508	2298	-790	
2005	1460	2303	-843	

Source: L. Rybakovsky, *Demographicheskoye budushcheye Rossii y migratsionnye protsessy*. Socis, 3/2005; Russian Federal State Statistics Service

Ukraine had encountered the phenomenon of a negative population growth rate in 1991, even before Russia. In 1996, this exceeded 300,000 people per year, and it has not dropped below that level ever since. Ukraine's demographic situation was even more complicated by the fact that for a long time it had had a negative migration balance, which in the period 1994–2001 had exceeded 100,000 people per year on average. The correlation of these two coefficients makes the Ukraine's population fall particularly fast. Only in 2005 did Ukraine register a positive migration balance (4,600 persons). The demographic forecasts for Ukraine also anticipate the maintenance of this negative rate of population growth, at least until the mid-twenty-first century, even though the rate of decrease should slow down.

Table 9. Population growth rate and life expectancy in Ukraine, 1990–2005

Year	Number of births (in thousands)	Number of deaths (in thousands)	Difference (in thousands)	Lifetime expectancy
1990	657.2	629.6	27.6	
1991	630.8	669.9	-39.1	
1992	596.8	697.1	-100.3	69.30
1993	557.5	741.7	-184.2	68.67
1994	521.5	764.6	-243.1	67.98
1995	492.9	792.6	-299.7	67.22
1996	467.2	776.7	-309.5	66.93
1997	442.6	754.2	-311.6	67.36
1998	419.2	719.9	-300.7	68.08
1999	389.2	739.2	-350.0	68.32
2000	385.1	758.1	-373.0	67.91
2001	376.4	745.9	-369.5	68.33
2002	390.7	754.9	-364.2	68.32
2003	408.6	765.4	-356.8	68.24
2004	427.3	761.3	-334.0	68.22
2005	426.1	782.0	-355.9	

Source: State Statistics Committee of Ukraine

(www.ukrstat.gov.ua/operativ/operativ2005/ds/nas_rik/nas_u/2002.html)

3.3. Age structure

As shown in Table 10, the societies of the CIS countries are aging, even though the pace and nature of these respective processes are different. Between 1989 and 2005, the percentage of children aged under 14 dropped in all countries. The most significant drops were recorded in Russia, Moldova and Armenia, and amounted to 8 percentage points. The smallest drops were recorded in Turkmenistan and Uzbekistan, 4 and 5 percentage points respectively. In Ukraine and Russia, children under 14 currently constitute only 15% of the population, whereas in Tajikistan they constitute up to 38% of the population.

In the Slavic countries and Armenia, the number of seniors (65+) has significantly increased. In Ukraine they already outnumber the category of children under 14, and soon the situation will be similar in Russia and in Belarus. The percentage share of the oldest citizens in the Ukrainian population is four

times higher than in Uzbekistan or Tajikistan. In consequence, at the beginning of the twenty-first century the average age of the statistical Ukrainian was 39 years, of his Russian counterpart 38 years, and of the Tajik and Turkmen it was only 23. In the future, these indicators will determine the dynamics of the demographic processes on the territory of the CIS, among other changes in population proportions which will be to the advantage of the Central Asian countries. Nevertheless, even in this region the population growth rate should start weakening eventually.

Table 10. Age structure of societies of the CIS countries (in %)

Country	Age group 0–14 years		Age group 15–64 years		Age group 65+	
	1989	2005	1989	2005	1989	2005
Azerbaijan	33	25	63	68	5	7
Armenia	30	22	64	68	5	11
Belarus	23	16	67	70	10	15
Georgia	25	19	66	68	9	13
Kazakhstan	32	25	62	68	6	8
Kyrgyzstan	38	31	58	63	5	6
Moldova	28	20	64	70	8	10
Russia	23	15	67	71	10	14
Tajikistan	43	38	53	58	4	4
Turkmenistan	41	37	56	59	4	4
Ukraine	22	15	67	69	12	16
Uzbekistan	41	36	55	60	4	4

Source: Demoskop Weekly, nr 235/6, 20.02–05.03.2006;

<http://demoscope.ru/weekly/2006/0235/barom01.php>

3.4. Nationality structure

The USSR was a melting-pot of over 100 nations. Fifteen of them had their own republics, which formed a federation. The state's authorities, however, conducted a policy which refused to take the ethnic differentiations of these territories into consideration. Entire nations were deported; masses of workers and specialists were transferred from one place to another, consciously aiming towards a unification of the state's ethnic structure. The term 'Soviet nation' was even devised; in this way a nation was established on a basis of an ideology,

instead of an ethnic origin. As a result of this policy, the percentage share of native population gradually decreased in most republics. According to the 1989 census, in Kazakhstan the Kazakhs constituted merely 39.7% of the republic's population, which was the lowest indicator for the entire USSR. Armenia was the most ethnically homogenous republic, with Armenians constituting 93.3% of the population.

After the collapse of the USSR, the authorities of the newly independent states radically changed the principles of their nationalistic policy, intending to strengthen the positions of the titular nations. The process of spontaneous repatriation and the reunification of families was commenced. In several regions, particularly in the Caucasus and Moldova, armed conflicts took place, which then resulted in waves of migration. It was easiest to leave such areas of incoming population. An increase in xenophobic attitudes took place. There were cases of discrimination against the so-called aliens (including their access to managerial positions). They were often informed that they were only guests and not always welcome ones.

The latest censuses registered considerable changes in the nationality structures of the CIS countries. In all these states except for Russia, the share of the native population increased in the national structure. According to data from 2001, the percentage of Armenians in Armenia amounted to 98%. In Kazakhstan, the percentage of Kazakhs in 1999 had already reached 53%. Even in Ukraine, with its dramatically shrinking population, the percentage of Ukrainians increased from 72.7 to 77.8% between 1989 and 2001. This was caused by the mass migration of Russians as well as assimilation processes noticeable among this minority. Similar processes are also found in Belarus.

Russia was the only country in the CIS, where in both absolute numbers and percentage terms, the proportion of titular population has decreased. This has been an on-going trend for at least half of the previous century. According to a 1959 census, Russians constituted 83.3% of the population of the Russian Soviet Federative Socialist Republic, in 1979 82.6%, in 1989 81.5%, and in 2002 79.8% of the population of the Russian Federation. The mass influx of Russians migrating from the CIS region was not able to reverse this trend, only to slow it. The cause of the decrease was that ethnic Russians, in contrast to some native nations of the Russian Federation (including Che-

chens and nations of Dagestan), featured a negative population growth rate, as did representatives of the incoming nations.

It seems that the trend of the percentage share of Russians in the population of the Russian Federation to decrease will be of a permanent nature. In consequence, this could significantly influence the assumptions of the migration policy of the Moscow government. It must take into consideration the increase in xenophobic trends, which have their origin in the shrinking status of possession of the Russian ethnos, among other factors. In such situations, opening up to culturally different immigrants may meet with intense social resistance and lead to the worsening of internal conflicts.

PART II

GENERAL TRENDS

Migration patterns in the Eastern European and the Southern Caucasian countries show similar intensity and development trends. These processes were most rapid immediately after the collapse of the USSR. Currently, they show tendency towards gradual stabilisation. Also, their conditions have been subject to evolution. After the collapse of the Soviet Union, external migration mainly constituted a function of the political and ethnic crises which occurred in connection with the newly-established countries forming their national identities. Since the mid 1990s, these patterns have started to take on an economic nature, to balance the effects of socio-economic problems in the poorer countries of the area, and to supply workers for the developing labour markets in the wealthier countries.

A common feature of migration movements in the countries discussed is their irregularity¹⁹. Migration processes have had a considerable influence on the shape of the post-Soviet countries, their national composition and social structure, and the spread of particular cultural patterns.

On the other hand, migration patterns in individual countries of the region have many features that differentiate individual states from each other. In simplified terms, different economic and demographic potentials of these countries enable to divide them into two groups with respect to the characteristics of their migration flows: immigration countries (Russia, and to a lesser extent, Belarus) and emigration countries (Moldova, Armenia, Georgia, and to a lesser extent, Ukraine and Azerbaijan). Also, the threat of illegal transit migration is very different – from Ukraine, which lies on the main route of

¹⁹ The term irregular migration (undocumented, unauthorised) implies migration movements, which take place against the law of the source, transit or – most often – the destination state. It usually refers to illegal crossing of the border or using false documents while crossing, but also to illegal stay on the territory of a given country or illegal work. This type of migration is often called illegal. The terms irregular migration is used among other by the UNHCR, The Council of Europe, OSCE, IOM, ILO; whereas the European Union uses the term illegal migration; for more detailed information refer to: K. Koser, Irregular migration, state security and human security, paper prepared for the Policy Analysis and Research Programme of Global Commission on International Migration, September 2005.

illegal migration from Southern Asia into Europe, to Armenia, which is located on the periphery of the transit migration routes. Four countries (the Caucasian states and Moldova) have experienced armed conflicts on their territories, as well as mass exoduses of their populations.

1. The dynamics and areal structure of migration processes

The genesis of the modern migration movements in Eastern Europe and the Southern Caucasus should be sought after in the common historical heritage of this region. For centuries, it was part of the Russian (Tsarist) empire, and then the USSR. Slavic settlers expanded alongside Russia's conquest of the new lands on the periphery of the empire. Over time, the dislocation of people became a mass phenomenon.

In Stalinist times, the authorities deported entire nationalities (including Germans, and the nations of the Northern Caucasus) or unwanted social groups (mainly rich peasants). Administratively regulated dislocation of people to newly established industrial centres was a common practice at that time. As the external borders of the USSR were closed, and individual republics differed in their degree of economic development and demand for workforce, the Soviet empire also recorded intensive voluntary migration.

At the beginning, migrations within the USSR took place in one direction – from the western ends of the state to the east of Russia and towards Northern Kazakhstan, and rarer to the other republics of Central Asia and the Caucasus. Intensive flows were also recorded between neighbouring republics, especially those that were culturally and linguistically related.

In the 1960s and 1970s, the Slavic demographic reserves started to run low, and the Russian-speaking population started to return to the central regions of the empire. Also, Moldavians and native inhabitants of the Southern Caucasus began to emigrate to Russia and Ukraine more often. These trends proceeded until the collapse of the USSR.

That collapse resulted in several fundamental changes in the migration processes. Firstly, the internal migration which had hitherto taken place became external migration. Secondly, the external borders were opened, and the USSR republics became independent states with their own legislations and borders.

Under new political conditions a spontaneous migration of population commenced, as part of the people wanted to return to the countries which they considered their homeland, and to reunite with their families living in different countries of the former empire. Also, soldiers scattered all around the region returned to their countries of origin. Moreover, as a result of armed conflicts (Nagorno-Karabakh, Transnistria, Abkhazia, South Ossetia, Tajikistan), several million people were forced to leave their place of residence.

The collapse of the USSR resulted in new social and economic conditions: the deterioration of the population's living standards, inflation and unemployment, as well as the possibility to undertake short-term economic migration or frontier trade.

All these factors resulted in great dynamics of external migration movements, which nevertheless – at least according to official statistics – was lower than the migratory dynamics inside the USSR in the second half of the 1980s.

Russian researchers emphasise that in contrast to general opinion, the movement of people between individual countries of the CIS decreased after the collapse of the USSR, which is connected, among other factors, with the economic and political crises in the new independent states and the diminishing possibility of legal migration²⁰. On the other hand, it should be remembered that in light of the administrative chaos which took place in this period, part of the migration movements was not registered. Moreover, as was noted by V. Yontsev and I. Ivanhiouk, migration patterns specific to the current era demonstrate a greater participation of temporary migration. Once this is taken into consideration, it turns out that the total migration in Russia in the years has 1989–2001 increased by several times²¹. Thirdly, internal migration is governed by different laws, and is usually more numerous.

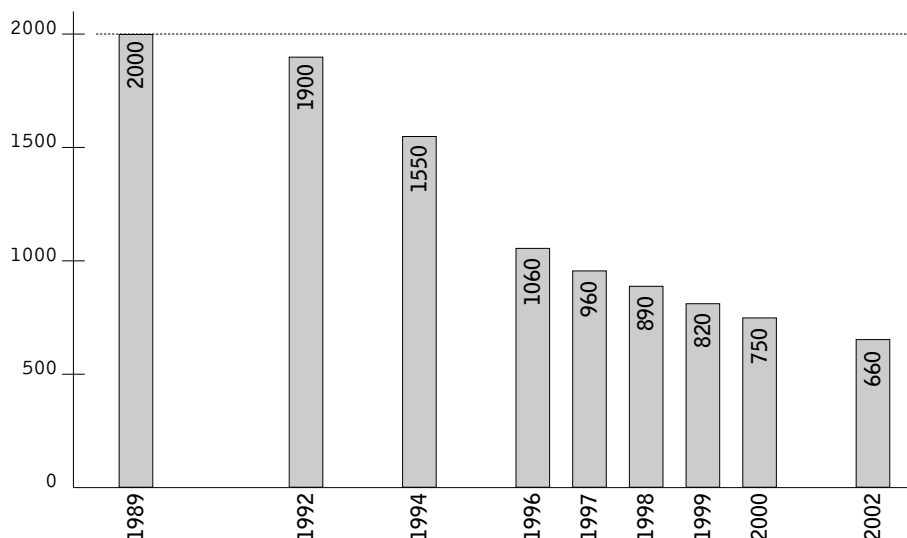
As shown in the graph above, the intensity of migration exchange has successively decreased; between 1990 and 2000, migration flows within the framework of the CIS decreased fourfold. The greatest dynamics was observed at the beginning of the 1990s (nearly 2 million crossings per year). Until around 1994–1995 it remained at a relatively high level. In the second half of the

²⁰ See V. Tishkov, Z. Zayonchkovskaya, G. Vitkovskaya, 'Migration in the countries of the former Soviet Union', paper prepared for the Policy Analysis and Research Programme of Global Commission on International Migration, September 2005, page 3.

²¹ V. Yontsev, I. Ivanhiouk, 'Russia in the world migration flows: trends of the last decade', *World in the Mirror of International Migration*, Vol. 10, Moscow 2002, page 50.

decade it decreased considerably. This may be linked to the end of forced migration and repatriation, the economic crisis in Russia and a trend towards making the legal bases for movement of people stricter, among other factors. In 2002, migration exchange amounted to only 660,000 crossings. In the period 1991–2001 in all the countries discussed, the number of immigrants (least in Russia, most in Armenia) as well as the numbers of emigrants (most in Russia, least in the Caucasian countries) decreased²². At the same time, it should be remembered that in reality, the intensity of flows had been higher, at least at the beginning of the 1990s, because a large part of this motion was not recorded in migration statistics, including the movement of soldiers or the escapes of forced migrants. Moreover, since mid 1990s temporary economic migration, which is difficult to register, took the lead.

Figure 1. Migration flows dynamics between the CIS countries in the years 1989–2002 (persons in thousands)



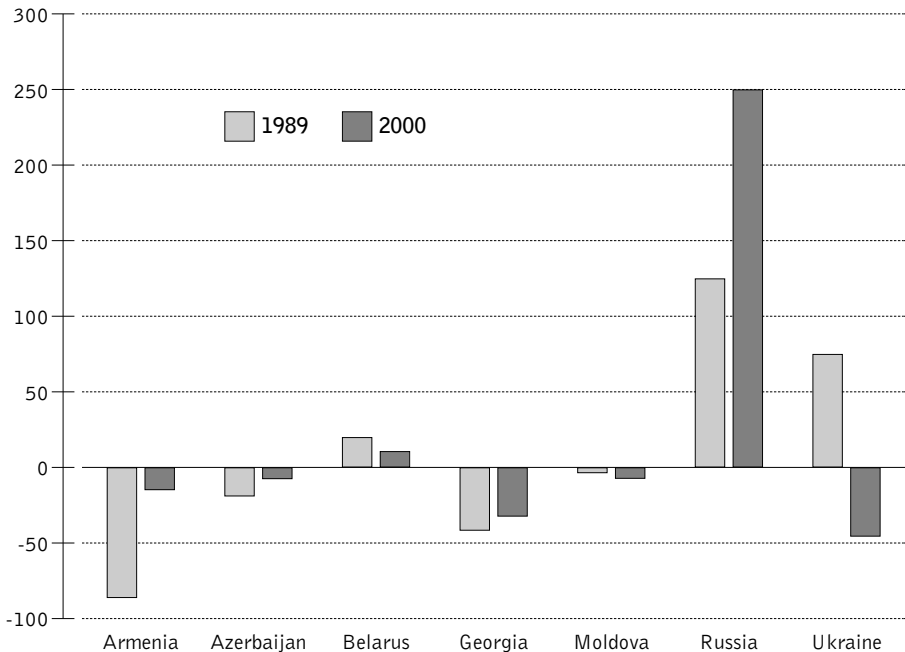
Source: V. Tishkov, Z. Zayonchkovskaya, G. Vitkovskaya, 'Migration in the countries...', *op. cit.*, page 4

Most migration flows in the post-Soviet area still occur within the framework of that area (with the exception of the Baltic States). Whereas at the beginning of the 1990s, all the countries discussed (except Russia) recorded both mass exoduses and fairly smaller immigration of people from abroad, in the

²² Z. Zayonchkovskaya, 'Dyesyat' let SNG – dyesyat' let migracyj myezhdu stranamy-uchastnykamy', *Demoscope Weekly*, No. 45–46, 3–16 December 2001.

course of the past decade they have definitely become immigration or emigration countries. The first group should include Russia as well as Belarus. For many years the latter has maintained a migration balance with all the CIS countries at a positive, yet not too high level. There is an individual situation in Ukraine, which had been a country with a mass influx of members of the Slavic nations and the Tatars, but also displayed more numerous, economically motivated emigration. The Caucasian countries and Moldova should be included among the typical emigration countries.

Figure 2. Migration balance in individual countries of the area in 1989 and 2000



Based on Demoskop Weekly, No. 45–46, 3–16.12.2001; <http://demoscope.ru/weekly/045/tema04.php>

Russia constitutes a centre of migration movements on the territory of the CIS. Around 75% of all immigrants in the CIS region are in this country (the figure was around 40% in 1989). According to official statistics in the years 1991–2000, Russia accepted 6.9 million immigrants from post-Soviet countries²³. According to the latest report prepared by the United Nations in 2005, 12.1 million immigrants inhabited the territory of Russia, which ranked this country se-

²³ See Part III, Country Analysis on Russia.

cond with respect to the amount of migrant population (just behind the USA)²⁴. According to official statistics, most immigrants came in 1994. This number considerably decreased in the following years, and reached a stable level at the beginning of this century. In this context, the year 2005 was noteworthy as Russia recorded its greatest growth rate in four years²⁵. This geographic one-sidedness of migration processes on the CIS territory is confirmed by estimates of scale and the directions of illegal migration – Russia is the largest market for illegal workers from the CIS countries.

Exchange between CIS countries and those outside this region is definitely smaller than the exchange within the framework of the post-Soviet area. Officially registered migration of this type mainly includes people of Jewish and German origin, but also specialists leaving for the United States or Western European countries. The main destination countries are Germany, followed by Israel and the United States.

It is estimated that in the period 1992–2002, around 2.6 million people left the CIS area, of which over 1 million were from Russia and 540,000 from Ukraine²⁶. According to estimates by Zhanna Zayonchkovskaya, documented emigration from the CIS countries in 1991–1995 amounted to around 300,000 people per year, and in the period 1998–2000 around 200,000 people per year²⁷. After the year 2000, this percentage insignificantly dropped. Furthermore, the ethnic makeup of emigrants was subject to serious transformations. Whereas at the beginning of the 1990s, the emigrants were mainly members of the German and Jewish nationalities, currently the representatives of titular nationalities predominate. It seems that the current relatively low level of legal migration to the EU countries or to North America results both from the exhaustion of German and Jewish people who would meet repatriation criteria, and the increasingly less liberal migration policy of the receiving states. Illegal migration, which most frequently turns into labour migration, is at least as numerous as legal migration. There are several million people from the CIS area working in the West, who include Ukrainians, Russians and Moldavians.

²⁴ According to the methodology adopted in the report, the term immigrant refers to all people who were born outside the borders of a country, which they inhabit.

²⁵ See Part III, Country Analysis on Russia.

²⁶ V. Tishkov, Z. Zayonchkovskaya, G. Vitkovskaya, 'Migration in the countries...', *op. cit.*, page 15.

²⁷ Z. Zayonchkovskaya, 'Dyesyat' let...', *op. cit.*

Official immigration to Eastern European and Caucasian countries from outside the CIS is low. Undocumented immigration, however, takes on a different form. On the territory discussed there is a relatively extensive, yet overestimated, group of immigrants from Southern Asia (including China, Vietnam, Pakistan, India, Bangladesh, Afghanistan & Sri Lanka) and to a lesser extent from Africa. Some of these immigrants treat the CIS as a transit area on their way to Western Europe and USA and Canada. Nonetheless, some settle and work illegally in the CIS. This mainly applies to citizens of China, Vietnam, North Korea and Afghanistan.

2. Ethnic and labour migration

In general, migration processes in Eastern Europe and the Southern Caucasus can be divided into two basic categories:

- (1) ethnic migration, i.e. voluntary migration conditioned by ethnic reasons (including repatriations²⁸ and impatriations²⁹) or forced migration;
- (2) labour migration – migration caused by economic difficulties and aimed at finding work abroad.

The first type of migration movements prevailed at the beginning of the 1990s. Labour migration (mainly illegal) has begun to predominate since midway through that decade. Due to the unresolved ethnic and territorial conflicts in Karabakh, Abkhazia and Transnistria, forced migration tends to be of a rather permanent nature, and repatriations are definitely so. Labour migration tends to be permanent, although temporary migration, including seasonal migration, prevails.

Ethnic and labour migrations intermingle. Ethnic migration processes consist of all migration which was caused by ethnic, cultural and linguistic reasons, keeping in mind at the same time that this movement was accompanied by economic factors. In many cases, a declared willingness to return to the homeland was used as an opportunity to change the current country of residence

²⁸ Repatriation implies return of people to their homeland organised by state authorities or other public institutions; definition provided by the Migration Dictionary (www.migration-news.uw.edu.pl/slownik.htm).

²⁹ Impatriation implies the process of displacement of descendents of citizens of a given country, who were born and raised abroad, with specific nationality or origin, into the current borders of this country; thereto.

and to improve living standards. Meanwhile, in the case of involuntary migrations, people left places where a conflict was in progress out of fear of the dangers connected with war, as well as for reasons of economic crisis.

The basic direction of ethnic migration is that of the return of migrants to their national states, or to countries of related cultural and language identity, especially if these countries provide living conditions that are better than those offered by the country of residence. In this way, the repatriation and impatriation of Russians from Central Asia and the Caucasus, who have constituted an extensive part of this movement, were directed to Russia, as well as to Ukraine and Belarus. The emigration of Slavic nationalities affected the Baltic States to a small degree, as the living standards in these countries were relatively high. The trend described was also confirmed by migration flows from areas subject to ethnic conflicts, thus from the Caucasus and Transnistria; in these cases, the native population escaped to their titular countries, but also to the Slavic countries, mainly Russia.

The main effect of ethnic migration is an increase in the ethnic homogeneity of the CIS countries. This phenomenon is especially visible in the countries of the Southern Caucasus, and to a smaller degree in Ukraine or Belarus. Russia is the only country which demonstrates an opposite trend.

The consequences of forced migration are seen in the presence of a great number of refugees and internally displaced people. Most of these people live in the Southern Caucasus, especially Azerbaijan. Thanks to the gradual integration of internally displaced people and their return to the place of residence, their number has decreased. However, the elimination of this problem seems impossible unless the conflicts in Nagorno-Karabakh or Abkhazia are solved. According to Russian data, at its peak in the mid-1990s this category of migrants on CIS area amounted to 3.6 million people, although it should be remembered that the definition of forced migration in this region³⁰ does not fully correspond to international standards. According to the International Organisation for Migration (IOM), there were over 549,000 refugees from this region (mainly Armenia and Azerbaijan) and over 1.3 million internally displaced people (most in Azerbaijan, Russia and Georgia)³¹ on CIS territory at

³⁰ Particularly until accession of individual states to the Geneva Convention.

³¹ IOM, *Migration Trends in Eastern Europe and Central Asia: 2001–2002 Review*, pages 17–18.

the end of 2000. The indicated number does not include Chechen refugees, who fled to other regions of Russia in relation to the outbreak of the armed conflict in 1999. According to UNHCR, around 350,000 people were in this situation³². Refugees and asylum seekers from outside the CIS constituted a slightly smaller group; according to the IOM data, in 2000 there were around 27,000 of them, mainly from Afghanistan³³.

Emigration outside the area of the former USSR has definitely been on a smaller scale. According to IOM, CIS citizens filed over 54,000 applications for refugee status in the Western and Central European countries in 2001³⁴. Most of these applications originate from Russia. After the outbreak of the second Chechen war, an increasing wave of refugees started to arrive to the West from the Northern Caucasus. In 2004, Russian citizens filed over 28,000 applications for asylum in the EU countries (including new member states), and in 2005, far fewer, namely 19,500³⁵. This situation has most likely resulted in part from a relative improvement of the security situation in Chechnya, and in part from the tightening of the European Union's asylum policy. After Chechens, next in line for refugee status are citizens of Armenia, Azerbaijan, Georgia, and Ukraine. Most applications for the refugee status from the CIS area are rejected as groundless or inconsistent with the criteria of the Geneva Refugee Convention. According to the non-refoulement principle different forms of temporary protection are awarded to persons who do not meet the requirements, but who could be in danger, if returned to their homeland.

The ethnic migration has lost its principal impetus, even though it still continues. A large number of Slavic people, especially Russians, still live outside their countries of origin. However, most of these people are not particularly interested in changing their place of residence, unless some serious political and social crisis occurs, or the general living standards offered by the receiving states do not in principle differ from these prevailing in their current homelands. According to evaluations by Russian demographers, there are around

³² UNHCR, UNHCR Paper on Asylum Seekers from the Russian Federation in the context of the situation in Chechnya, February 2003, In 2006, depending on the origin of statistics, the number of IDPs due to the Chechen conflict was estimated at the range of 24–170 thousand persons.

³³ IOM, Migration Trends..., *op. cit.*

³⁴ *Ibidem*, page 175.

³⁵ Data provided by the European Council on Refugees and Exiles (ECRE).

4.5 million Russian speakers (out of around 17 million Russians or Russian speakers inhabiting the countries of former USSR other than the Russian Federation) on the territory of the former USSR who are and might be willing in the course of the next several years to emigrate to Russia. It seems that representatives of the Russian-speaking Diaspora from Central Asia would be most willing to emigrate for cultural and economic reasons, however according to official statistics the most numerous Russian minority lives in Ukraine³⁶.

Labour migration (mainly of an undocumented nature) is currently the most popular type of migratory traffic on CIS territory. According to estimates provided by IOM in 2002, around 10 million people inside the region and several million outside it are involved in such type of migration every year³⁷. Similar numbers are quoted by S. V. Ryazantsev; according to his estimate, the number of emigrants from CIS countries working outside their homeland ranges from 8 to 11 million³⁸. The authors of a study on labour migration conducted in the years 2000–2003 within the framework of the Russian Independent Research Centre for Migration of the CIS and Baltic States, also put forward the number of 10 million, only they estimate the individual components differently. They claim that this figure should be divided into the migration of Russian citizens (3–3.5 million internal migrants and 1–1.5 million people working outside the CIS) and migration from other CIS countries (including around 3 million migrants working in Russia and 2 million residing in other CIS countries as well as outside the region). At the same time, the researchers emphasise that the numbers they indicate are underestimated rather than overestimated³⁹. There are over one million officially registered foreign workers in this region. The number of economic migrants outside the CIS area is also small.

The extent of labour migration on the territory of CIS can be determined through estimates concerning Russia, the main country in the region receiving foreign workers. Russian experts (Yelena Tyurkanova, Zhanna Zayonchkovska-

³⁶ These persons declared Russian nationality in the course of the census.

³⁷ IOM, *Migration Trends...*, *op. cit.*, page 16.

³⁸ S. V. Ryazantsev, *Economic migration in Russia and CIS Countries: Socio-economic Significance and Approaches to Regulation*, 2005.

³⁹ Z. A. Zayonchkovskaya, *Trudovaya migratsiya v stranach SNG: sryedstvo adaptatsiy k ekonomicheskomu krizisu y istochnik novyh vyzovov. Glavniye itogi miezhstranovykh issledovaniy*, materials from conference entitled 'Migration, social and intercultural aspects of sustainable development', Moscow, March 2004.

ya, Galina Vitkovskaya and Vladimir Mukomel) estimate the number of illegal labour immigrants on Russian territory at the level of 3–5 million people.

Table 11. Labour emigration from the Eastern European and Southern Caucasian countries

Country	Number of labour emigrants in thousands (estimates)	Number of professionally active population in thousands (as per the end of 2004)	Main destination countries
Russia	500–1000	72,909*	Germany, USA, Israel
Ukraine	2000–3000	22,614 (2003)	Russia, Poland, Italy, Czech Republic, Portugal, Spain
Belarus	200–280	4,428**	Russia, Poland
Moldova	350–600 ⁴⁰	1,432***	Russia, Italy, Turkey
Azerbaijan	1000–1500	3,865	Russia, Turkey, Iran, UAE, Germany
Georgia	300–400	2,049****	Russia, Greece, Turkey, USA, Germany
Armenia	300–700	1,232** (2003)	Russia, USA, Western European countries

Author's study on the basis of expert estimates; the professionally active population according to calculations by the National Labour Organisation (except data referring to Georgia)

* *de iure* population

** *de iure* population without armed forces

*** *de facto* population

**** *de facto* population without armed forces

As shown in Table 11, the scale of labour emigration and the significance of this phenomenon for the individual countries of Eastern Europe and Southern Caucasus are very different; starting from Russia, where economic emigrants constitute a insignificant part of the professionally active population, up to Armenia or Moldova where practically every third family has a member working abroad. Also, the destinations of this emigration are different. For the majority of migrants from the CIS area, Russia is still the main destination country, although the significance of other countries – EU member states, the USA and Turkey – is gradually increasing.

⁴⁰ Without Transnistria.

3. Irregular transit migration

Undocumented transit migration from Asia (South-East Asia, and the Middle East), Africa and CIS countries into Western European countries is a new phenomenon, which the successor states of the former USSR encountered after its collapse. For obvious reasons, the illegal nature of these proceedings makes it difficult to estimate its real scale and dynamics and to evaluate the scale of threats connected with this phenomenon. However, this is unquestionably a great burden for migrations management systems of the CIS states which have been barely developed, and which in addition function in the conditions of poorly protected borders and poorly framed legislation. Also, the tighter sealing of EU borders together with the simultaneously considerable openness of borders inside the CIS area, may result in migrants who want to proceed to the West being forced to stay in transit countries for good, as the CIS countries have no effective mechanisms for removing them. As the IOM experts emphasise, an attempt to deal with this phenomenon should involve developing a greater space for legal migration and facilitating the transition of migrants from the grey zone into the legal zone. Meanwhile, the governments of the CIS countries have manifested a tendency to interpret undocumented migration as a crime, and are focusing on repressive methods of fighting it, which worsens the problem even more⁴¹.

Estimating the scale of illegal migration is difficult for other reasons: the lack of a standardized methodological approach nor any recognised definition of this phenomenon, the incompleteness of the data collected and its public unavailability. Moreover, it is difficult to separate transit migrants from illegal workers. For these reasons, the data presented below includes all migrants with unregulated status. As indicated by IOM, in 2002 the authorities of discussed states estimated the number of illegal migrants (both those from the CIS region and from outside) at 0.5%–1% of the entire population of the individual countries⁴². However, current official estimates are higher. The Russian Ministry of Interior estimates the number of illegal migrants to be at least several million people⁴³. The International Centre for Migration Policy Development (ICMPD) quotes the evaluation of the border services, according to

⁴¹ IOM, *Migration Trends in Eastern Europe...*, *op. cit.*, page 31.

⁴² Data provided by IOM.

⁴³ For more information refer to Part III, Country Analysis on Russia.

which there are around 1.5 million illegal migrants from Southern & Central Asia and Africa on Russian territory⁴⁴. According to Ukrainian information, there are from some tens of thousands up to one million illegal migrants in Ukraine⁴⁵. It should be remembered that politicians from the CIS tend to overestimate the numbers of illegal migrants. Although the illegal transit migration through the territory of the former URSS seems to threaten the security in Poland and the EU, it is not as massive as the wave of migration through the Southern Europe.

The border statistics constitute an important source of information, which could help in grasping the dynamics of irregular migration. Analysis of the data provided by border services enables us to assess the real size of this phenomenon, as people from outside the CIS often cross borders illegally. Citizens of the CIS countries usually do not have problems with legal entrance onto the territories of other post-Soviet countries. As Russian statistics show, over the past 10 years the number of people arrested when attempting to cross the border illegally has definitely increased. Ukrainian statistics from recent years indicate a relatively stable yet high number of arrests of illegal migrants (around 30,000 people per year, who have been arrested when attempting to cross the border and on the territory of Ukraine)⁴⁶. It is difficult to judge unambiguously whether this situation results from an increase in the threat of illegal migration, or whether it can be explained by an improved efficiency of supervision on individual border sections. At the same time, it should be remembered that the borders inside the CIS area, which are most exposed to illegal migration, are barely protected.

Illegal immigrants usually enter the CIS area through Central Asian countries, and less frequently through the Southern Caucasian countries. Next, in most cases they go to Russia, then Ukraine, Belarus or the Baltic states; from there they try to get to Western European countries. Sometimes they fly in directly to Ukraine or Belarus from their countries of origin, or from Central Asian countries or Turkey. Migrants travelling by land prefer borders which for different reasons are entirely unprotected or insufficiently protected, thus the

⁴⁴ International Centre for Migration Policy Development, Overview of the Migration Systems in the CIS Countries, Vienna, September 2005, page 199.

⁴⁵ For more information refer to Part III, Country Analysis on Ukraine.

⁴⁶ See International Centre for Policy Studies, Institute for Public Affairs, White paper: Ukraine's migration policy to control illegal migration, Draft for Discussion, June 2006, page 9.

Russian/Kazakh border, the Russian/Ukrainian border, the Russian/Belarusian border, or the Ukrainian/Belarusian border. Meanwhile, the most popular airports are those which control documents less strictly, or ports which are so large that groups of migrants travelling West do not generate a great attention. Also, airports in countries which have a relatively liberal visa policy, are very popular.

Whereas in the past, illegal migrants on their way to the European Union most often used the Polish/Ukrainian border, the Ukrainian/Slovak border is currently more popular. Illegal migrants on their way to the Baltic states most often cross the Belarusian/Lithuanian border. On the Polish territory, most people are arrested by the border guards on the Polish/German border, however the number of arrests on the Ukrainian border has been increasing (see Table 12). The number of migrants from Southern Asia detained when attempting to cross the border illegally is falling (apart from Vietnamese citizens). Meanwhile, the number of citizens from the CIS countries attempting to make their way through illegally remains relatively stable.

The statistics provided by local border guards and the Ministries of Interiors show that the citizens of China, Afghanistan, Vietnam, India, Pakistan, Bangladesh are most often involved in illegal transit migration. Usually, inhabitants of Afghanistan, India, Pakistan and Iraq (principally Kurds) transit through the Southern Caucasian countries (mainly Azerbaijan). Migrants from Afghanistan, China, Vietnam enter Russia and other countries in Eastern Europe mainly *via* the Central Asian countries.

Migrants usually enter the first transit country on the CIS territory legally, or on the basis of forged documents, and then illegally attempt to cross subsequent state borders by bus or by rail, and sometimes on foot. Migrants often use tourist or student visas to get into the CIS area. Migrants from countries located close to the CIS frequently try to cross the border illegally. Organised crime groups, which operate as tourist offices and prepare forged documents and transfer channels, is very popular. Transit migration has a well-organised character, as migrants rarely travel alone, usually in groups formed by criminal structures. The transfer channels for illegal migrants are also used for human trafficking, especially in women, who are then forced to work as prostitutes or to a lesser extent forced workers in Western countries.

Table 12. Detained for illegal crossing of the Polish state border in the period 2003–2005

Year	Total number of detained	Foreigners	Detained on individual sections of the border	Detained according to nationality (selected countries)
2003	5662	3592	with Russia: 80 with Belarus: 44 with Ukraine: 807 with Lithuania: 110 with Slovakia: 420 with Czech Republic: 1110 with Germany: 2706 On the sea border: 60 On the air border: 226	Afghanistan: 140 Armenia: 41 Belarus: 56 China: 195 Georgia: 21 India: 216 Iraq: 28 Moldova: 144 Pakistan: 161 Russia: 310 Ukraine: 873 Vietnam: 243
2004	5762	4472	with Russia: 62 with Belarus: 72 with Ukraine: 659 with Lithuania: 62 with Slovakia: 231 with Czech Republic: 1131 with Germany: 3168 On the sea border: 77 On the air border: 215	Afghanistan: 45 Armenia: 80 Belarus: 101 China: 218 Georgia: 59 India: 93 Iraq: 12 Moldova: 276 Pakistan: 143 Russia: 557 Ukraine: 1884 Vietnam: 146
2005	4526	3598	with Russia: 39 with Belarus: 114 with Ukraine: 931 with Lithuania: 40 with Slovakia: 232 with Czech Republic: 887 with Germany: 1848 On the sea border: 76 On the air border: 224	Afghanistan: 7 Armenia: 70 Belarus: 98 Georgia: 66 Georgia: 86 India: 7 Iraq: 10 Moldova: 355 Pakistan: 35 Russia: 456 Ukraine: 1388 Vietnam: 325

Data of the Border Guard of the Republic of Poland

4. Migrants and the source and destination states

Migration considerably affects the political, economic and social situation of the countries discussed. This particularly applies to countries with a large percentage of migrants (emigrants or migrants), such as Russia, Moldova or Armenia. In the case of the source countries, migration processes carry the risk of the departure of most educated people (the 'brain drain' phenomenon), yet they also generate financial remittances from abroad, which are needed by these developing economies. The destination states, on the other hand, are confronted with the problems of irregular labour immigration and the threats connected therewith: ethnic clashes, development of crime, and an increase in xenophobic trends in the society.

Temporary labour migrants not only maintain contact with their homelands, but also send money to the families they left behind. Nearly every third family in Moldova and in the Caucasian countries, and every tenth family in Ukraine or in Russia, is supported from these remittances⁴⁷. The record statistics in this area belong to Moldova and Armenia, which according to estimates by the World Bank have the largest such transfers *per capita* in the region. The economies' dependency on remittances from abroad is particularly strong in the case of the region's poorer countries, where remittances (and this only refers to those completed through official channels) constitute a great part of the GDP of a given country, and usually exceed the level of foreign investments. This has certain advantages, such as easing the social effects of economic crises, the development of a middle class able to function under market conditions, and the development of small entrepreneurship or of financial institutions. At the same time, it generates threats, including the strong dependence of the sending countries on those countries that accept their employees, and the lack of state control over the money transferred by the emigrants, which to a great extent takes place outside the official banking sector. Moreover, in contrast to foreign investments, remittances from labour migrants are usually designated for consumption, instead of development. On the other hand, this consumption drives internal demand.

⁴⁷ V. Tishkov, Z. Zayonchkovskaya, G. Vitkovskaya, 'Migration in the countries...', *op. cit.*, page 27.

Table 13. Amount of remittances sent by emigrants in selected countries in 2003 (in US\$ million)

Country	Remittances according to balance of payments (B)	Remittances amount evaluation (A)	Amount of direct foreign investments	B% GDP	A% GDP
Moldova	464	500 (in 2004 700)	58	23.8	25.6
Armenia	162 ⁴⁸	850	121	5.9	30.8
Azerbaijan	156	700	2352	2.1	9.5
Georgia	237	275 ⁴⁹	334	6.0	6.9

Source: IMF Balance of Payment Statistics Yearbook 2004; World Bank Global Development Finance 2004 database

The 'brain drain' phenomenon, which consists in losing the most valuable human resource potential, often accompanies the migration phenomenon. Educated people constitute a large percentage of all migrants leaving the post-Soviet countries. In the 1990s, it was mainly scientists – specialists in exact sciences who were first to go aboard, as well as experienced engineers; currently it is mainly younger scientists or PhD candidates. Especially dangerous was the outflow of specialists from the defence sector: intensive emigration was especially noteworthy from the so-called ZATO (closed cities). However, it is difficult to estimate the scale of the 'brain drain' and its real consequences for the economies of the countries discussed. According to various estimates, in the 1990s between 10,000 and 30,000 scholars and university professors have left Russia permanently, which was the centre of this process⁵⁰. The number of scientists who emigrated for temporary contracts is much higher. According to expert estimates, Russia's annual financial losses resulting from this phenomenon are around US\$ 50 billion (complete with potential losses)⁵¹.

⁴⁸ Higher estimates are presented in the 2004 USAID Report; See Part III, Country Analysis on Armenia.

⁴⁹ According to IOM estimates from 2003 – US\$ 480 million.

⁵⁰ I. Malakha, 'On 'brain drain' from Russia during the second half of the 1990's', [w:] World in the Mirror of..., Moscow 2002, page 142.

⁵¹ V. Yontsev, I. Ivanhiouk, *op. cit.*, page 52.

On the other hand, the main effect of migration is the arrival of cheap labour force. This problem mainly concerns Russia, which thanks to immigration receives the workers it needs in the process of development of its labour market and the shortage of its own human resources. Russia has to import employees, but its improperly defined migration policy, insufficiently flexible legislation and the underdevelopment of its labour markets cause most incoming immigrants to look for employment in the shadow economy. As a consequence, the state generates no income from their work, and migrants often become victims of abuses by employers. Also, competitiveness for local employees with low qualification increases. There is in addition an outflow of capital abroad; according to estimates, it can amount from several to more than ten billion dollars a year.

Irregular migration is directly linked with the phenomenon of organised crime. On one hand, leaving immigrants in the grey zone increases the susceptibility of this group to participation in organised crime (such as smuggling of illegal goods, human trafficking or drug smuggling); on the other hand, this deprives them of protection against criminal groups. A typical phenomenon in this context involves crime groups operating as employment agencies on CIS territory, sending people to illegal work and recruiting women to work as prostitutes. On CIS territory, there exist crime organisations with an ethnic background, which recruit their members from among migrants originating from a given nationality. Individual groups have taken control over specific trade zones or other economic activities. On the other hand, it should be remembered that in receiving societies tendencies to link crime with specific groups of emigrants are often exaggerated, and are a result of an increase in xenophobia.

The increase in the popularity of xenophobic and nationalistic ideas is a serious problem connected with the arrival of a considerable number of foreigners. This trend has been fuelled by an incompetently managed immigration policy. As research shows, only one-third of inhabitants of Russian cities believe that immigrants bring advantages⁵². Anti-immigration phobias in Russia mainly take the shape of 'Caucasophobia', which newcomers from the Southern Caucasus, the Russian Northern Caucasus and Central Asia are faced with. Xenophobic manifestations and ethnic clashes have occurred for many years

⁵² V. Tishkov, Z. Zayonchkovskaya, G. Vitkovskaya, *op. cit.*, page 22.

in the southern regions of Russia as well as in Moscow and in St. Petersburg (which are inhabited by large concentrations of immigrants). However, they are also becoming more common in other parts of the country. Meanwhile, immigrants from the CIS territory who are of Russian, or at least of Slavic origin, enjoy a relatively friendly attitude.

5. Migration policy and international cooperation

The migration policies of individual CIS countries are at different levels of advancement. Moreover, depending on the character of the migration trends in each country, each government assumes different priorities while developing these policies. However, a relatively clear division into states that are sending migrants and states that are receiving them, economic dependencies and cultural connections, cause that migration patterns rather link than divide the post-Soviet countries. These states common heritage and the high interdependency of the migration processes thus cause that the migration systems in all the countries discussed feature several common characteristics. These include: selectiveness, a lack of proper legislation and institutional basis, repressiveness, and a high level of international cooperation. The typical problems of countries undergoing transformation, such as institutional weaknesses, excessive red tape, corruption and organisational chaos, also influence the migration policy.

The CIS states' authorities took an interest in migration issues only a few years ago. Immediately after the collapse of the USSR, the newly established states, preoccupied with developing the foundations of their own statehood, paid practically no attention to supervising migration flows. Migration policies at that time were liberal, and allowed the inhabitants of the entire post-Soviet area to quickly obtain citizenship of one of the countries. Due to the outbreak of ethnic conflicts and extensive wave of repatriation, in that period the migration institutions concentrated on solving the problems of forced migration and refugees, and regulating the return of deported nationalities.

A subsequent stage in the migration policy's development was the establishment of basic legislation regulating the principles of entry and exit, the residence of foreigners and others. These provisions, which were to a great extent based on the former Soviet bureaucratic approach to the regulating popula-

tion flows, made it difficult for foreigners to legally register their residence. With relatively open state borders, it created a field for the rapid development of a 'grey zone' of migration. The termination of the Bishkek agreement on visa-free movement, which was carried out when a trend to see migration in the context of security started to predominate among the governments of the Eastern European and Caucasian countries, can be considered as another turning point in the evolution of migration systems. This resulted in an expansion of legislation focused on fighting illegal migration and development of the proper institutions in this regard. As a result, migration policy became more regulatory and repressive, since no concept for integrating migrants was developed to balance it out. Even the repatriates were left on their own in the arduous procedure of legalising their residence. A tendency towards changing this approach is currently being observed. This is visible among others in Russia, which has introduced facilitations in the system for registering foreigners, and has started implementing a special programme to attract repatriates.

The problem of labour migration was undertaken only several years ago, which was apparently too late. In this time, emigrants at the CIS area had already developed extensive and close-knit networks of informal work abroad, which have often been supported by local authorities entangled in the web of criminal connections. In this situation, a few million citizens of the CIS countries work illegally in Russia, and several million more in Western European countries. For this reason they are practically left unprotected by their home countries. Migrants are left in this 'grey zone' because of the corruption among officials and police officers. Also, the lack of coordination among the policies of the states that send and receive migrants is an important problem. Despite the practice of signing bilateral agreements on labour migration among the countries in the region, these agreements are not taken into consideration when individual countries set quotas for migration, and do not guarantee immigrants' the access to social benefits. Also, the provisions of the agreement on cooperation in labour migration and the social protection of migrant employees, which was concluded in 1994 within the framework of the CIS, remain a dead letter to a great extent.

It should be anticipated that this situation will improve over the course of the next few years, as the problem of regulating labour migration is becoming a political priority for the individual countries in the region. Russia is developing legislation that would make it easier to obtain a legal residence permit.

It has also conducted experimental amnesty campaigns for foreigners illegally staying on its territory. Ukraine has adopted an assistance programme for emigrants working abroad. Moldova has developed a system supervising companies which send people to work abroad, and a strategy for investing the remittances sent back by its emigrants. Ukraine, Moldova and the Caucasian countries are also working towards concluding agreements for mutual protection of labour migrants and agreements on legal employment with the countries where their citizens work.

All the EU's eastern neighbours are participating pretty actively in international cooperation. In general, this cooperation can be divided into three topical and geographic areas. The first category consists in cooperation conducted within the framework of international organisations and multilateral cooperation forums with a global or European coverage. Usually the countries discussed receive technical assistance, consultancy, and financial aid from these organisations. Sometimes these organisations mediate in the process by which individual Western states grant assistance. Another form of cooperation involves participating in mechanisms developed within the framework of the Commonwealth of independent States. The objective of the migrant-sending countries is to maintain free access to labour markets of the other CIS countries, whereas Russia treats this forum as a mechanism for maintaining its influence in the region and an instrument for fighting illegal migration. However, the bilateral channels of cooperation which operate in this region have proved much more effective. For several years, the EU's involvement in the cooperation on migration with the Eastern European and Southern Caucasian countries has been increasing. Although this is mainly limited to the implementation of technical assistance programmes, the European Neighbourhood Policy (ENP) acknowledges the border and migration issues as key areas of cooperation within the framework of Action Plans, which are the main instruments for implementing the ENP⁵³. For the CIS countries, the visa policy is the most important area for cooperation with the EU. The main objective of these countries is the maximum liberalisation of the visa regime in relations with the EU, and in the long-term perspective, the total abolition of the visa requirement.

The International Organisation for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR) are actively operating on the ter-

⁵³ See European Neighbourhood Policy Strategy Paper, 12 May 2004.

ritory of the CIS. The latter institution plays a particular role when there are a great number of refugees and internally displaced people in the region. The UNHCR's role is gradually decreasing. Migration systems in the countries discussed became so firmly established that these states have developed their own mechanisms for granting refugee status, and international assistance to refugees in the CIS area is very limited. The IOM is actively present in all CIS countries, helping them to develop their migration and border management systems, advising in the preparation of documents, and acting as a forum for coordinating policies between individual countries. The IOM, together with the UNHCR and the OSCE's Office for Democratic Institutions and Human Rights, is also responsible for monitoring the implementation of the provisions of the CIS conference on migration policy, which took place in 1996⁵⁴.

In addition, more informal consultative initiatives have been organised by the EU states, as well as specialised international organisations. In this context, the so-called Söderköping Process should be mentioned. It is organised jointly by the IOM, the UNHCR and the Swedish Migration Council, and aims to strengthen cooperation in the fields of migration and asylum between the Eastern European countries and their European Union neighbours. After the accession of the Central European and Baltic states to the EU, the so-called Budapest Process, which was a forum for international dialogue on migration management, was redirected to the CIS countries. Currently, this process includes almost 50 states and 10 international organisations⁵⁵.

As mentioned above, the assistance granted by international organisations is a factor influencing the shape of the migration policy of the Eastern European and the Caucasian countries. This phenomenon is most visible in the smaller countries, where organisations are actively participating in devising legal acts and concept documents, and in developing appropriate infrastructure (refugee centres, centres for victims of human trafficking, deportation centres). This is conducive to the adjustment of legislation to international standards, and helps inexperienced governments to adopt solutions that have been tried and tested elsewhere. On the other hand, this leads to an asymmetry in the development of migration systems, some areas such as the fight against

⁵⁴ Regional conference of CIS, of the representatives of individual countries, representatives of international organisations and activists from non-governmental organisations concerning refugee and asylum problem.

⁵⁵ For more information see: www.icmpd.org

human trafficking are relatively well developed, while others have not even been supported with the most basic legal instruments. The absence of mechanisms to handle some of the migration phenomena characteristic to the CIS countries has caused that international organisations sometimes omit topical areas that are important from the recipient's point of view.

Table 14. Ratification of basic international documents referring to the migration and refugees

Country	The Geneva Convention relating to the Status of Refugees and the New York Protocol	The Palermo Convention against Transnational Organised Crime	UN Convention on the Protection of the Rights of All Migrant Workers Members of Their Families
Russia	2 February 1993	26 May 2004	Does not participate
Ukraine	10 June 2002 (New York Protocol 4 April 2002)	21 May 2004	Does not participate
Belarus	23 August 2001	25 June 2003	Does not participate
Moldova	31 January 2002	16 September 2005	Does not participate
Azerbaijan	12 February 1993	30 October 2003	11 January 1999
Georgia	9 August 1999	5 September 2006	Does not participate
Armenia	6 July 1993	1 July 2003	Does not participate

The Eastern European and the Southern Caucasian countries are signatories to the most important international conventions on migration. All the countries discussed have signed the Geneva Convention relating to the Status of Refugees, and the Palermo Convention against Transnational Organised Crime (in most cases, including additional protocols on combating human trafficking, especially in women and children, and smuggling of migrants by air, land and sea). The participation of the discussed countries differs as far as the international agreements on labour migration are concerned. Currently, only Azerbaijan is a signatory of the International Labour Organisation convention on protection of migrant workers⁵⁶. Few countries are considering joining this instrument.

Several agreements on migration have been prepared within the framework of the Commonwealth of Independent States. These include the agreement on

⁵⁶ On the CIS territory also Kyrgyzstan and Tajikistan adopted this convention.

no-visa movement (1992) and on assistance to refugees (1993). On 15 April 1994, an agreement on cooperation in the area of labour migration and social protection of migrant workers was concluded. This agreement was not ratified by Georgia and Turkmenistan. The failure of this document, which had been anticipated as a convention covering all CIS countries, resulted in individual countries deciding to conclude bilateral agreements on economic migration. The problem of developing a regional document on the regulation of labour migration re-emerged once more – in September 2004 the foreign ministers of the CIS adopted a draft convention on the legal status of labour migrants and their family members. However, there is considerable doubt as to whether this document will come into force, taking into consideration the continual ineffectiveness of the CIS, and the announcements made by some of its members of their intent to leave this organisation. An agreement on cooperation in the area of illegal migration was concluded in March 1998. However, the first session of the joint commission for implementation agreement's provisions took place only in 2004, six years after it was signed. In August 2005, an agreement on common border policy was concluded. One step towards greater effectiveness of CIS action in the area of migration could be the adoption of the agreement on transit migration which was proposed by Ukraine.

There are also numerous forums within the framework of the CIS for exchanging opinions on migration. Meetings of country leaders, heads of governments, the coordination council of foreign ministers, and council of border service commanders take place regularly. However, these meetings are often of a ceremonial nature, and do not end in the adoption of any binding documents.

Furthermore in the second half of the 1990s, attempts to establish a single labour market on the territory of the Commonwealth of Independent States were undertaken. Because of the failure of this project, countries interested in economic integration established the Eurasian Economic Community, which, apart from realising the aforementioned convention on no-visa movement, is planning to create a customs union. At a summit of the organisation in May 2006 in Minsk, the Russian president Vladimir Putin called the Community 'an engine for economic integration on the territory of the CIS.' On the other hand, even though the agreement on a customs union had already been concluded in February 1999, it has still not been possible to establish a uniform external customs rate, and it therefore seems that developing a common economic space is an issue for the far future.

PART III

COUNTRY ANALYSES

1. RUSSIA

The collapse of the USSR affected both the dynamics and the nature of migration movements. For the first time, the new Russia came into contact with spontaneous, cross-border mass migration for economic and political reasons. The lack of experience, resources and efficient state structures resulted in the authorities being unable to control the chaos of migration for a long time. The borders with the newly established countries were *de facto* open, and issues of citizenship and the replacement of ID documents were not settled. Russia became the main destination for illegal labour migrants from the CIS area. The new Federal Migration Service concentrated mainly on reacting to current needs resulting from an inflow of refugees and spontaneous repatriation.

Once President Putin took power, a migration policy started to appear mainly in the context of national security. This resulted from changes in the very existence of the system of governance in Russia, as well as the rise in awareness of terrorist threats. The objective of the government of the Russian Federation was to exercise control over the migration processes, protect its labour market, and minimise the phenomenon of illegal migration. The state's system for managing migration was reformed by handing it over to the Ministry of Interior and significant restrictive changes were introduced to the national legislation.

With time, questions of whether the 'closed door' policy was compliant with both Russia's political and economic interests, started to arise. The state finds itself in a deep demographic crisis, the population growth rate is negative, and the number of people is decreasing, which does not correlate with dynamic economic development. An influx of migrants is the only real opportunity for Russia to make up its shortages on the labour market and to stop the pace of depopulation. Work on implementing repatriation programmes are currently in progress. Apart from for Russians from the diaspora, the authorities of the Russian Federation are also interested in attracting selected categories of former fellow citizens from the CIS area. It is difficult to state in advance

what the outcome of these plans will be, as xenophobic attitudes are growing in Russia as well as the tendency to treat immigration as a danger. The legal assumptions of the migration policy are inherently contradictory, the system is constantly being redeveloped, and the authorities are not able effectively to control migration traffic, including a group of several millions of illegal employees.

1.1. Migration movements

After the collapse of the Soviet empire, the state's activity in the field of migration dramatically fell, comparing with the USSR period, when the state structures were the main initiators of migration processes. On one hand, this change led to an increase in impulsiveness (chaos) in this field, and on the other hand to a decrease in numbers, as for years Soviet society had been taught not to show any initiative, a factor which could influence its mobility. As a result, the migration circulation in the Russian Federation with the so-called 'near abroad' in the period 1991–2000 decreased by around 40% in comparison with the previous period; internal migration also fell by a similar degree. However, the real decrease might be less, as the registration system was operating less efficiently than before.

Table 15. Migration exchange between the Russian Federation and the other former republics of the USSR in the years 1981–2000 (in millions of persons)

	1981–1990	1991–2000
Arrived Russia	8.9	6.9
Left Russia	7.2	3.1
Migration circulation	16.1	10.0
Migration growth rate	1.7	3.8

Source: Demoskop, No. 37/38, 2001

Whereas in the initial period, different ethnic movements were the most important ones, occurring spontaneously within the framework of the former USSR, and others organised outside its border (movements of Jews and Germans), labour migration has nevertheless become the most significant migratory trend. Russia is the most important labour market for such migrants from the CIS area, and its positive balance in this exchange amounts to several million people per year.

1.1.1. Ethnic migration

The last Soviet national census, from 1989, indicated that around 25.3 million ethnic Russians and around 2.5 million representatives of other titular nationalities (Tatars, Bashkirs, Chechens and others) lived outside the Russian Soviet Federal Socialist Republic. After the collapse of the USSR, these groups found themselves within the borders of state entities which they often considered as foreign (and where they were treated as aliens), or on territories which were subject to conflicts. An impulsive return to their homelands commenced, which activated the reunification of families separated by the new borders. The most intense streams of re-emigrants entered Russia from Kazakhstan and Ukraine, that is, from those countries where the Russian diaspora was most numerous.

The new Russia was definitely more open to the world than the USSR had been; this was reflected in the rapid increase in border traffic in the 1990s. The opening-up coincided with an economic and social crisis which forced many representatives of the Russian Jewish and German community members to take advantage of the repatriation programmes offered by their countries of origin. The 2002 national census showed that the number of Russian Jews decreased from 537,000 to around 230,000 people, in comparison with 1989. At the same time, the number of Germans decreased from 842,000 to 597,000 people (although some Germans had migrated to the Russian Federation from Kazakhstan). At the same time, the number of Armenians and Azeris, who immigrated to Russia from the conflict-plagued Southern Caucasus, doubled.

Throughout its entire existence, the Russian Federation had a positive migration balance. This can be explained by the fact that the Russian-speaking diaspora was the most numerous on the territory of the CIS, and the living standards were higher there than in most of the neighbouring countries. At the beginning of the 1990s, the inflow of migrants considerably compensated for population losses in Russia which resulted from the negative population growth rate. In the period 1992–1997, the numeric compensation therefore amounted to over 60%. However, the basic migration reserves in the former USSR started to run out, and the Russian government failed to prepare any repatriation programmes. As a consequence, at the beginning of this century, the inflow of migrants compensated for only around 10% of shortages. The rapid deterioration of the migration balance which took place in 2001 was accompanied by a tightening of Russia's security policy and a deterioration of

the social atmosphere around migrants. Presumably, the considerable increase in the number of registered immigrants in 2005 resulted mainly from people already staying in Russia having legalised their position.

Table 16. Migration balance of the Russian Federation in the years 1992–2005
(in thousands of persons)

Year	Arrived	Left	Migration balance
1992	849	673	176
1993	913	483	430
1994	1147	337	810
1995	841	339	502
1996	622	288	344
1997	598	233	365
1998	514	213	301
1999	380	215	165
2000	359	146	213
2001	193	121	72
2002	185	107	78
2003	129	94	35
2004	119	80	39
2005	177	70	107
2006 (I–XI)	166	50	116

Source: Russian Federal State Statistics Service; L. Rybakovsky: Demographicheskoye budushcheye Rossii migratsyonnye protsessy. Socis, 3/2005

As the tables show, a long-term decreasing trend is observed in the entire migration exchanges between the Russian Federation and abroad, whereas the pace of decrease varies. Migration to Russia in 1997–2004 decreased more than fivefold. Still, emigration from Russia decreased only threefold in the course of this period. This considerably influenced the migration balance, which decreased much more quickly than the migration circulation dropped.

Differences in the proportions of migration movement between Russia and the CIS and Russia and the rest of the world are considerable. Whereas 90% of all people immigrating to Russia are newcomers from the CIS region, for several years most emigrating Russian citizens have opted for the so-called ‘further abroad’, of which 70% have headed for Germany. After all, this country is the absolute leader among the destinations for Russian migrants, even

taking the CIS region into consideration. Russia has a positive migration balance with the CIS region (to date, only Belarus has been the exception) and a negative balance with the rest of the world. Most people coming to Russia from outside the former USSR are re-emigrants, who for various reasons were not able to settle in their new homelands.

Table 17. Immigrants to Russia in the period 1997–2004

	1997	2000	2001	2002	2003	2004
Total	597,651	359,330	193,450	184,612	129,144	119,157
Including from the CIS states	582,829	350,290	186,226	177,314	119,661	110,374
Azerbaijan	29,878	14,906	5,587	5,635	4,277	2,584
Armenia	19,123	15,951	5,814	6,802	5,124	3,057
Belarus	17,575	10,274	6,520	6,841	5,309	5,650
Georgia	24,517	20,213	9,674	7,128	5,540	4,886
Kazakhstan	235,903	124,903	65,226	55,706	29,552	40,150
Kyrgyzstan	13,752	15,536	10,740	13,139	6,948	9,511
Moldova	13,750	11,652	7,569	7,562	6,391	4,816
Tajikistan	23,053	11,043	6,742	5,967	5,346	3,339
Turkmenistan	16,501	6,738	4,402	4,531	6,299	3,734
Uzbekistan	39,620	40,810	24,873	24,951	21,457	14,948
Ukraine	138,231	74,748	36,503	36,806	23,418	17,699
From outside the CIS	14,822	9,040	7,224	7,298	9,483	8,783
Germany	2,379	1,753	1,627	1,962	2,692	3,117
Israel	1,626	1,508	1,373	1,670	1,808	1,486
Lithuania	1,785	945	758	722	535	339
Latvia	5,658	1,785	1,283	990	906	819
USA	668	439	432	455	484	518
Estonia	3,483	786	535	534	445	446

Source: Russian Federal State Statistics Service

Table 18. Emigrants from Russia in the period 1997–2004

	1997	2000	2001	2002	2003	2004
Total	232,987	145,720	121,166	106,685	94,018	79,795
Including to the CIS states	149,461	83,438	62,545	52,969	46,081	37,017
Azerbaijan	4,302	3,183	2,170	1,704	1,771	1,336
Armenia	2,578	1,519	1,362	1,114	1,098	654
Belarus	18,928	13,276	11,175	8,829	7,016	5,671
Georgia	3,286	1,802	1,339	964	939	740
Kazakhstan	25,364	17,913	15,186	13,939	14,017	12,504
Kyrgyzstan	6,296	1,857	1,333	1,080	959	656
Moldova	5,715	2,237	1,660	1,385	1,234	907
Tajikistan	2,474	1,158	993	827	922	549
Turkmenistan	1,532	676	352	272	251	168
Uzbekistan	7,370	3,086	1,974	1,400	1,130	717
Ukraine	69,116	35,601	24,026	20,585	16,744	13,115
From outside the CIS	83,526	62,282	58,621	53,716	47,937	42,778
Germany	43,363	40,443	43,628	42,231	36,928	31,876
Israel	12,873	9,407	4,835	2,764	2,048	1,733
Lithuania	1,162	376	262	293	268	282
Latvia	636	365	311	256	259	226
USA	9,087	4,793	4,527	3,134	3,199	2,919
Estonia	702	385	402	321	351	265

Source: Russian Federal State Statistics Service

1.1.2. Labour migration

Currently, labour migration is the most significant of all types of migration movements, due to its scale and its direct influence on the everyday life of Russians. The Russian labour market is the most extensive in the region, and the economy is developing rapidly in connection with the increase in prices of raw materials, which by force of events makes Russia the most important destination country for economic migrants from the CIS area. Russians themselves go abroad in search of work more rarely. However, their number can be estimated in the range of several hundred thousand. This figure should include ‘brain drain’ departures (scientists, artists), specialists’ con-

tracts (up to 60,000 per year, including sailors and aviators) and victims of trafficking in human beings⁵⁷. Nonetheless, departures abroad in search of work do not constitute a social problem in Russia.

Labour migration to Russia can be divided into legal and illegal kinds. People who came within the quota system introduced in 2002 are working legally in the Russian Federation. The limit is approved every year on the basis of reported regional demands, and it is thus subject to considerable fluctuations. It amounted to around 214,000 people in 2005, 329,000 in 2006; over 30% of these newcomers went to Moscow⁵⁸. Until January 2007 only citizens from countries with which Russia has visa relations were included in these figures. Since that period two types of limits are in effect: 309 thousand persons for citizens of countries where visa regime with Russia is enforced and 6 million for foreigners from other countries. In addition, Belarusian citizens, who enjoy similar rights to Russians, can work legally in Russia. Moscow has signed separate agreements with some CIS countries on principles for opening the labour market. In total, it can be estimated that there is about 1 million people working legally in Russia⁵⁹. On the other hand, the amount of illegal labour immigrants is much greater; some estimates even mention up to twelve million people. However, this number seems exaggerated.

According to Mukomel's estimates, around 4.6 million people come to Russia every year to work illegally, mostly in the summer season; in the winter the number of employed drops to around 2 million people. Nearly 80% of these illegal employees come from the CIS countries. Their numbers are dominated by citizens of Azerbaijan and Ukraine. The importance of Central Asian countries, especially Tajikistan and Uzbekistan, is growing. The most numerous group of guest workers from outside the CIS area originated from China. Most illegal migrants concentrate around Moscow agglomeration, perhaps as many as 50% of them. They often undertake occupation which is not very attractive to the permanent residents. In Moscow, for instance, they are drivers of public transport, janitors,

⁵⁷ Author of one of the studies on this subject claims that the number of Russians working abroad can even range to 1–1.2 million people, mainly in the US, Germany, Israel and Greece. Every year they send approximately US\$700–800 million to the country. S.V. Ryazantsev, *Economic migration in Russia and CIS Countries: Socio-economic Significance and Approaches to Regulation*, 2005.

⁵⁸ Data provided by *Rossiyskaya Gazeta*, 21 April 2006.

⁵⁹ According to the Federal Migration Service 1,15 million of foreigners worked legally in Russia in 2006.

employees of municipal cleaning services and unqualified construction workers⁶⁰. Outside Moscow, they often work in agriculture and trade. A considerable part of the money they earn is transferred to their countries of origin. According to estimates, over US\$ 3.5 billion is transferred every year from Russia⁶¹. The money from this source constitutes a considerable part of the foreign-currency income of poorer CIS countries such as Moldova or Tajikistan.

Table 19. Estimate data from 2005 on the number of labour immigrants (in thousands) and their average stay in Russia*

Country of origin	Number of employees (in thousands)	Assumed stay in Russia (in months)			Average number of employed	Average work time (in months)
		Over 10	From 5 to 9	Up to 4		
Azerbaijan	1000	890	90	20	947	11.4
Armenia	280	73	179	28	166	7.1
Georgia	117	63	47	7	87	9.0
Kazakhstan	100	22	73	5	59	7.1
Kyrgyzstan	180	40	131	9	106	7.1
Moldova	154	74	71	9	110	8.6
Tajikistan	504	111	368	25	298	7.1
Uzbekistan	390	86	285	20	231	7.1
Ukraine	1000	430	380	190	644	7.7
Total other countries	1055	350	263	442	600	6.8
Including:						
China	800	136	232	432	306	4.6
Northern Korea	55	44	8	2	48	10.6
Vietnam	100	80	15	5	88	10.6
Afghanistan	100	90	8	2	94	11.3
Total	4850	2154	1948	749	3227	8.0

Source: V. Mukomel, 'Economy of illegal migration in Russia', Demoskop Weekly, no. 207–8, as of 20.06/14.08.2005 (*according to the author, only around 200,000 people from the mentioned countries are working legally in Russia)

⁶⁰ A proceeding that formally a local person is employed on the basis of employment contract, but is replaced with a foreigner (working for a lower rate), is quite popular.

⁶¹ Vladimir Mukomel, 'Economy of illegal migration in Russia', Demoskop Weekly, No. 207–8, 20 June/14 August 2005. Deputy Minister of Foreign Affairs of Russian Federation Yuriy Fyedotov claimed, quoting official data that in 2004 foreigners employed in Russia could have sent as much as US\$12–15 billion outside its borders; Interfax, 24 May 2005.

The deepening demographic crisis in Russia leads us to believe that the state will be more and more dependent on the inflow of the foreign workforce. On a mass scale, which in considerable part is uncontrollable, this phenomenon contains a significant potential for instability and destruction, which will emerge particularly in crisis situations. At the current stage of social development, this may be conducive to an accumulation of xenophobic and nationalistic attitudes in Russia. The illegal inflow of a workforce is usually accompanied by the development of shadow economy, corruption, lack of control over money circulation, ethnic crime and modern forms of slavery. For the aforementioned reasons, the authorities of the Russian Federation are interested in bringing order and legality to the labour market for foreigners. The effect of these measures have not yet proved too extensive, which can be explained by the popularity of corruption practices and the ineffectiveness of administrations in Russia as well as by the fact that immigration issues are often used in Russia as elements of current political considerations. A good example of that can be the regulation, which excludes foreigners from work at open markets. The pretext for putting that in effect was ethnic unrest in Karelia as well as the crisis in Russian-Georgian relationships, which ensued in the second half of 2006.

1.1.3. Refugees and internally displaced persons

The process of the USSR's collapse was accompanied by numerous ethnic and religious conflicts, which sometimes turned into open armed confrontation (as in Tajikistan, the Caucasus and Transnistria). These conflicts generated masses of refugees who had families and friends living in more peaceful regions of the collapsing empire. A considerable number of these people went to Russia, which somehow obliged the authorities to react. In June 1992, the Federal Migration Service was established; as of 2 February 1993, the authorities of the Russian Federation had also rapidly joined the Geneva Convention on the status of refugees from 1951 and the New York Protocol from 1967. These measures were dictated by the hope of obtaining financial and logistical assistance from the international community to solve the problems connected with refugees.

The peak arrival of different categories of refugees to Russia was in the first half of the 1990s. At the beginning these were people of Slavic origin escaping Tajikistan, which was in a state of civil war, and Armenians from Azerbaijan and Georgia. In the following years, Russians from Kazakhstan started to predominate among refugees. They had decided to take this step mainly for economic and cultural reasons. The majority of IDP's were found in the Caucasus;

initially these were victims of the Ingush and Ossetian conflicts, and then that in Chechnya. At the beginning of the 1990s, after the collapse of the pro-Moscow government in Kabul, over 100,000 Afghans came to Russia; this was the only significant group of refugees to come from outside the territory of the former USSR.

All categories of refugees could only count on symbolic assistance from the central authorities. Ethnic Russians had problems not only with accommodation but also with obtaining Russian citizenship, which made it difficult for them to look for work. The situation of the Meskhetian Turks, who had been expelled from their homes in the Ferghana Valley, was so critical that the US authorities decided to include them in a special immigration programme. Ethnic Ingush, expelled from their homes in the Republic of North Ossetia, are basically still unable to return there today, despite numerous repeated promises made by the federal authorities. The refugees from Afghanistan cannot legalise their stay in the Russian Federation. According to data of 1 January 2005, only 309 people were granted refugee status. In comparison, Ukraine, where there are far fewer Afghans than in Russia, has granted over 1,500 people refugee status. It seems that this is an intentional policy of the Russian Federation, aiming at limiting the number of people eligible for state assistance.

According to official statistics, the number of people newly registered in the Russian Federation who had been forced to leave their place of residence significantly decreased in recent times. Also, the total number of such people in the censuses has decreased systematically. Some of them have migrated outside Russia, others have received Russian citizenship, whereupon their legal status is changed. As of 1 January 2005, the state registers of the Russian Federation still contained around 238,000 people who had been forced to leave their homes (40% of whom had originated from Kazakhstan). It seems that this number has been underestimated, and does not include many cases of Chechens, among others. Also, the number of people with refugee status (614 people) does not correspond to the actual scale of the problem, if in Russia there are around a few tens of thousands Afghans in Russia with any grounds to obtain this status, according to estimates.

Russia is the country of origin of a large group of people, mainly ethnic Chechens, who are applying for refugee status in other countries.

Table 20. Official data on the number of refugees and persons displaced within the Russian Federation in the period 1992–2005

Registered in a given year	1992	1995	1998	2001	2002	2003	2004	Total retained on register as of 1 January 2005	
								Displaced persons	Refugees
Total	160,341	271,977	118,227	41,958	20,504	4,726	4,291	237,998	614
From:									
Azerbaijan	32,860	12,963	2,106	238	222	82	41	5,025	27
Armenia	126	1,653	124	36	17	-	2	390	-
Belarus	-	188	4	-	-	-	-	12	-
Estonia	60	3,171	819	56	30	15	2	659	-
Georgia	24,817	10,778	3,969	2,768	2,801	2,537	1,889	22,278	233
Kazakhstan	283	88,689	72,053	22,054	9,692	828	348	99,500	-
Kyrgyzstan	897	17,769	2,159	1,307	832	85	35	6,092	-
Lithuania	44	719	170	34	26	6	1	196	-
Latvia	85	5,427	605	51	30	10	6	1,029	-
Moldova	10,341	2,688	798	540	236	12	8	2,128	-
Russia	21,826	34,871	13,924	4,440	1,199	414	1,522	46,706	-
Tajikistan	65,448	26,982	7,572	1,794	940	256	161	17,683	12
Turkmenistan	54	4,574	1,179	216	109	29	33	1,917	-
Ukraine	19	2,262	1,089	328	146	8	2	1,299	-
Uzbekistan	3,247	59,212	11,442	7,952	4,174	410	201	33,024	9
Other countries	234	31	214	144	50	34	40	69	333

Source: Russian Federal State Statistics Service

1.1.4. Russia as a route for illegal migration

The significance of Russia as a route for illegal migration seems to be decreasing. The threats connected thereto were most significant in the 1990s, when the state structures lost control over migration flows. The socio-political crisis, the outdated legal base, corruption and disputes of competence between the power structures and the entirely open so-called 'new' borders made Russia a convenient corridor for trafficking people from East to West.

At present, the conditions in many of the areas mentioned have changed; this has considerably increased the logistical costs of trafficking, with a simultaneous increase in the degree of risk. For illegal economic migrants from such regions as Central Asia, China or Vietnam, Russia as such is only interesting as a potential labour market. The risk of pushing through to the EU area is undertaken mainly by persons who intend to stay there for good. A growing number of difficulties has led to the increasing professionalism of smuggling. Trafficking channels through Russia are often developed with the participation of diaspora representatives (such as Chinese or Armenians).

For people from South-East Asia who are trying to get through into the EU from that direction, the Central Asian states is the point of exit. Their visa policy is not coordinated, corruption is omnipresent, and state structures are rather ineffective. The trafficking route goes by land through the poorly protected Russia/Kazakhstan border, and then through the Russian borders with Belarus and Ukraine, which can also be forced quite easily. Some people arrested when attempting to illegally cross the EU's eastern border have crossed this route. There have been some cases of trafficking in the eastern direction, for instance citizens of Uzbekistan attempting to get through Russia into South Korea.

It is difficult to estimate the number of people who try to use Russia as a route for illegal migration. Official sources from the Russian Ministry of Interior estimate the number of illegal migrants on the territory of Russia to range from 1.5 to 15 million people. An illegal immigrant is deemed to be any non-citizen whose stay in the country is not regulated, but this also includes ethnic Russians who came to the Russian Federation in the 1990s, yet for different reasons failed to complete the formalities connected with obtaining citizenship. A great majority of illegal migrants are citizens of CIS states, who have entered Russian territory legally, but extended their stay illegally and found work.

The problem of illegal migration is often used as a political tool. Evaluating the degree of the threat posed by this phenomenon depends on the current state policy and the needs of the departments which deal with it. Many contradictory opinions made by competent officials can be cited. On 24 November 2004, the General Secretary of the Collective Security Treaty Organisation (CSTO), Nikolai Borduzha, stated without presenting any statistics that Russian territory was being ever more extensively used as a transit corridor for trafficking illegal migrants from Asia and Africa into the EU. Several days later, while visiting Moscow, the Chief of State Border Guard Committee of Belarus, General Pavlovsky, stated that thanks to the efforts of the Russian and Belarusian parties, it had been possible to considerably reduce the stream of illegal migrants⁶².

There is no doubt that of the entire number of illegal migrants, only a small part treat Russia as a transit country. Accumulations of xenophobic and nationalistic attitudes in the Russian Federation may lead to a change of this situation, increasing the pressure on the EU's eastern borders. Also, difficulties with legalising residence (among others, by obtaining refugee status, among other methods) encourage potential migrants to take risky decisions.

1.2. Migration policy

After the collapse of the USSR, the emphasis in the migration policy was placed on the problem of those persons who had been deported outside Russia's borders and who were now returning, and on responding to emergency situations. Meanwhile, when President Putin took power, a migration policy started to emerge mainly in the context of national security, as it was considered a phenomenon that could be conducive to terrorism and organised crime. This led to a significant tightening-up of legislation in this area, and a deterioration of the social atmosphere surrounding migrants, among other results. The increasingly negative demographic trends seemed to be forcing the authorities to moderate their excessively restrictive position. In his last address on the state of the nation, delivered on 10 May 2006, President Putin declared that an effective migration policy as one of the most important means of stopping the decrease of population in the Russian Federation. Due to that certain initiatives aimed at attracting immigrants to Russia were undertaken

⁶² Interfax, 24 November 2005 and 30 November 2005.

in mid summer (among others in areas of registration and employment of foreigners). The planned liberalization was largely undermined by adaptation of new restrictive legislation passed at the end of the year, among others in areas of street vending, limiting of foreigners' work and penalizing illegal employment.

In Russia the migration policy bears the imprint of imperialistic traditions and power ambitions. This has led to its considerable ideological exploitation and use as a political tool. The interest of the state, and not that of the citizens, is the government's priority. In a situation when Russia as such has had problems defining its position in the world, this was not conducive to defining the principles of a migration policy or solving the practical problems. Despite all this, it became possible to create the framework of a system for managing migration policy and to pass an entire package of acts dealing with migration. However, the efficiency of the management system has been lowered by constant reorganisations.

1.2.1. Evolution

The authorities of the Russian Federation were prepared neither mentally nor organisationally to face the migration challenges which emerged after the collapse of the USSR. After all, their problems did not constitute a priority in a situation when everything – the borders, state structures, the army with its nuclear weapons, and finances – all required urgent adaptation to the new situation. On the other hand, such phenomena as spontaneous mass population exchanges between the newly established states and inflow of refugees from conflict areas required a specific reaction from the state authorities.

In the beginning, the Committee for Migration at the Ministry of Labour handled all migration problems; however as early as June 1992, a decision was made to establish a separate structure, the Federal Migration Service (FMS). It was managed by Tatyana Regent, a rather incidental person in this position, without any political influence; in Russian reality, this must have had a considerable impact on the effect of the new institution's operation. The FMS' structures were developed in a situation of increasing chaos in the area of migration. Its most important test was the Chechen conflict, which in December 1994 turned into a fully-fledged war. Neither in this nor in any other case did the FMS stand up to the challenge. Its interventions were usually late and on too small a scale. The FMS activity did not show any keynote, nor ele-

ments of situation prognosis. This structure was not able to control the migration processes, and especially not to shape them. However, initiating work on draft acts referring to migration, which were intended to fill the gaps in Russian legislation, should be considered among the positive aspects of FMS's operation.

In 1999, the FMS entered into a phase of personnel and structural changes, which considerably weakened its activity. After Regent's resignation in February 1999, subsequent directors were changed every few months, openly criticizing the effect of their predecessors' work. The service was marginalised, which in the end led to its liquidation on 18 May 2000. The FMS' structures were incorporated into the Ministry for Federation and Nationality and Migration Policy. The liquidation of the office at the moment of escalation of the Chechen refugee problem was an unambiguous sign of the government's opinion of its effectiveness and usefulness. Within the framework of the Ministry, the migration problems were pushed further to the side. This was a temporary solution, which proved that the government structures had failed to understand migration problems and the policy concept in this area.

The attitude of the Russian Federation's authorities towards the migration problem changed by the second half of 2001. This was immediately reflected both in the fate of the structures and in the legal solutions which were prepared. The Concept of State Migration Policy of the Russian Federation, which was developed over three years and which was formally accepted by the government, has since been rejected. On 16 October 2001, the Ministry for the Federation, Nationalities and Migration Policy was liquidated. The block of issues referring to migration policy was assigned to the Ministry of Interior. In his speech on 25 December 2001 to the directors of the service, President Putin stated that their priority tasks, along with fighting terrorism should also include supervision of the migration processes and combating illegal migration.

Several factors influenced the change in the policy of the Russian Federation's authorities towards the migration problem. Firstly, the Russian government's elite has accepted the state and its borders as constant values, and has become attached to the idea of a powerful centre of authority, which supervises and controls all the processes occurring on its territory. Another factor was the increased threat of terrorism, connected either with the Chechen war or

Russian participation in the anti-terrorist coalition. The Kaliningrad question was the third important factor. Negotiations with the EU made the Russian Federation authorities aware of the importance of the problem and of their partners' expectations, particularly in connection with the idea of visa-free movement as proposed by President Putin. Fourthly, in some areas of the Russian Federation, especially in the south, uncontrolled migration has led to a sharpening of ethnic conflicts. The authorities of Krasnodarsk region have tried to solve these problems on their own, without even taking the Constitution of the Russian Federation into consideration.

The issues connected with migration and border policy grew in importance thereafter. The Security Council of the Russian Federation handled them comprehensively. The inter-departmental working group on improving migration law was appointed, pursuant to the presidential decree 674 of 3 December 2001, and supervised by the Deputy Chief of President's Administration. A Migration Commission was appointed within the government of the Russian Federation. On 23 March 2002, the president signed the decree 232 on the improvement of state management in the area of migration policy. The decree specified the tasks and structure of the Federal Migration Service of the Ministry of Interior. Since then it has supposedly been managed by a Head with the rank of deputy minister of interior.

Together with reform of the state's system for managing migration policy, an amendment of the legal basis was also among the leading tasks. It became apparent that the weakest link in the system is Russian legislation in this area. The most glaring instances of negligence emerged here. The law was outdated and inconsistent with the actual state of affairs; the key laws still had their roots in the Soviet system.

The 'Law on Citizenship of the Russian Federation' was passed by the Assembly of People's Deputies of the Russian Federation on 28 November 1991, still during the formal existence of the USSR. The law entered into force on 6 February 1992. All the people permanently registered on the territory of the Russian Federation at that moment automatically received Russian citizenship. The remainders, who had a passport from the former USSR and did not receive citizenship for any of the new states established after the collapse of the USSR, could apply for citizenship from the Russian Federation. The new Law on Citizenship of the Russian Federation, signed by the president on 31 May 2002, tightened the regulations for granting citizenship. Only people over 18 years old, who had been living in the Russian Federation at least five

years on the basis of a document of permanent residence and who know the Russian language can apply. The Law also anticipates a simplified method for granting such citizenship, mainly for former citizens of the USSR; it will come into force as of 1 January 2008. The fact that it prevents the state from applying such measures as deprivation of citizenship or outlawry, which were frequently practiced in the Soviet time, should be numbered among the advantages of the new act.

Another key act referring to migration which required drafting was the 'Law on the Legal Status of Foreigners in the Russian Federation.' In Russia, these issues were still regulated by the Law of 24 June 1981. In December 1998, a portion of the LDPR submitted a draft of a new Law on 'Legal Status of Foreigners in the Russian Federation.' The first reading of the draft took place in 1999, after which there was a long break. A considerably re-edited draft was returned to the Duma in the summer of 2002 as a priority, after which it swiftly passed through the entire legislative path, and came into force on 1 November 2002.

The scope of the Russian Federation's control over the movement of foreigners on state territory was considerably increased. Competences in the area of issuing permits to work in the Russian Federation were handed over to the Ministry of Interior. The Law specified these tasks in detail, introducing solutions to matters such as the annual number of work permits, which was specified on the basis of demand from the federation's entities. A system of fees for issuing work permits (which increased considerably) was devised, and all the costs of the possible deportation of foreign employees were imposed on the employers.

For administrative purposes, the Law introduced the concept of the migration card. Every foreigner crossing the border of the Russian Federation is obliged to fill out such a card. It consists of two parts, one of which is kept by the authorities when entering the territory of the Russian Federation, and the other part which should be returned upon exit. On 12 November 2002, the Ministry of Justice of the Russian Federation registered the standard form of the card. It contains such information as the purpose of visit and the place of temporary residence on the territory of the Russian Federation. A foreigner who does not have this card, cannot register his stay in Russia, and if he is caught by a control action, he is subject to administrative fines and depor-

tation. The information contained on the card is supposed to form the basis for the planned database. Foreigners who remain on the territory of the Russian Federation have already had to complete the card as of 22 November 2002, and on the Russian/Belarusian borders they have been issued since 14 February 2003.

On 15 December 2002, at the second and third readings the Duma passed a draft the Introduction of Changes and Amendments to the bill 'Concerning the principles of entry onto and exit from the territory of the Russian Federation' of 15 August 1996'. It came into force in April 2003. Apart for the issues of order, the amendments specify the principles which the border services of the Russian Federation should follow when not admitting foreign citizens onto the territory of the Russian Federation. Among others, Article 27, item 1 states that a foreign citizen will not be admitted onto the territory of the Russian Federation, if this essential to ensure defence and national security, social order and protection of the population's health.

In parallel, albeit after a certain delay, the government issued numerous executive acts for the previously passed acts. On 11 October 2002, the Regulation 754 was passed, concerning a list of areas, organisations and facilities which the foreigner may only visit on the basis of a special permit; the list contains 11 items. Alongside traditional items, such as closed administrative-territorial formations (ZATO), epidemic zones, military facilities and border areas, item 6 contains the point 'areas where anti-terrorist operations are being conducted.' In mid-November 2002, the government approved a resolution on developing a database on foreigners and stateless persons residing on the territory of the Russian Federation. The Ministry of Interior was appointed as coordinator of the measures in this area. The planned dates for completing work on the database were postponed, and eventually the Central Database for the Registration of Foreigners was started on 1 January 2006 (the data recorded in the database remains incomplete). The Regulation 941 on the principles of issuing work permits to citizens of other states and people without citizenship was passed on 20 December 2002.

The increased strictness of legislation and the consideration of migration issues mainly in the context of national security has led to a deterioration in the social climate around immigrants. The positive migration balance of Russia decreased considerably, which was a negative phenomenon in the context of

the demographic crisis. At the same time, the authorities were unable to limit underground migration movements. The implemented policy turned out to be inefficient, and so attempts were made to amend it. Currently, its objective seems to be to increase the income of migrants to Russia (mainly Russian speakers) from the territory of the former USSR. This has been confirmed by specific actions.

In 2005, an experiment was conducted in several entities of the Federation, which was supposed to demonstrate the problems connected with the legalisation of immigrants. The status of around 7,500 people was legalised. An inter-departmental team was established, managed by the Deputy Chief of the Presidential Administration, to develop a draft for a repatriation project. Work on this project was completed in June 2006, and on 26 June 2006, it was approved by a presidential decree. The programme anticipates considerable preferences for Russian speakers from the CIS area, who are willing to migrate to those areas of the Russian Federation which are sparsely populated (including Siberia and the Far East).

January 2007, when legal regulations disregarding the planned liberalization and in fact increasing the level of restrictions toward the foreigners went into effect, marks the next important milestone in development of migration policy. Changes to the 'Law on the Legal Status of Foreigners' have been introduced. They foresee new rules of granting the temporary stay and residency permits (including the possibility of setting an annual limit for number of foreigners, who may seek a residency permit) as well as granting employment permits (different rules apply to foreign nationals depending on the fact, whether they come to Russia in visa or visa-free regime). The 'Law on Foreign Nationals Registration' also went into effect. That legislation simplified the process of foreigners' registering (from now on, it will take a form of reporting instead of a permit). The changes to Administrative Code concern an increase in penalties for illegal work and illegal employment of foreigners. The most controversial regulation concern trade at open markets. The 'Organization of Activities of Retail Markets' Law specifies that by 15 January, the number of foreigners employed at open markets may not exceed 40% of the total employment force, while by 1 April only the Russian citizens will be permitted to work there. An introduction of new legislation clearly indicates that the Russian authorities – at least in a short term perspective – have not decided to make changes, which would make meaningful the declaration to

allow the immigration legislature to compensate for the consequences of a demographic crisis. Instead, Russia has once again exhibited its unwillingness to change the restrictive immigration policy.

1.2.2. Structures

The current structure of the central offices responsible for implementing tasks in the area of migration policy was established in 2004. The greatest responsibility is held by the Ministry of Interior. Other important organs are the Federal Security Service, including the Border Service of the Russian Federation, the Ministry of Health and Social Development (including the Federal Service for Work and Employment within its structures) and the Ministry of Foreign Affairs which operates within its framework. The strategies and objectives of the migration policy are outlined by the Security Council of the Russian Federation. As can be seen, the ministries included in the so-called 'power block' predominate on this short list; this may explain why the problems of migration policy have to date mainly been observed through the prism of security policy.

In the framework of the Ministry of Interior The Federal Migration Service is responsible for implementing tasks connected with migration policy. Its current organisational structure and competences were specified in a presidential decree of 19 July 2004. The FMS is a federal organ with executive power, subordinate to the Ministry of Interior. It is managed by a director whose powers are invested in him by the Deputy Head of the Ministry of Interior. The FMS employs over 18,000 employees and has branches both outside the borders of the Russian Federation and within the entities of the Federation.

The competences of this institution are very extensive, and cover practically the entire range of problems connected with the migration, citizenship, residence and employment of foreigners. The FMS issues documents confirming the identity of Russians and maintains their files, residency registrations and departures, and it is responsible for the procedures of awarding citizenship, it issues permits to enter the territory of Russia and to reside there, controls foreigners' compliance with their residence permits, and together with other authorities is responsible for fighting illegal migration, and takes responsibility for the issues of refugees and displaced persons, as well as control over the rules for employing foreigners in Russia, and of Russians outside the state borders. The FMS prepares draft acts on issues connected with migration, and

its representatives participate in all the bodies developing the principles of migration policy.

1.2.3. International cooperation

Russia defines its interests on a global scale, although with respect to issues connected with migration policy, its international cooperation within the framework of the CIS and its contacts with the EU are of primary importance. Recently, the importance of China has also been increasing. Russia is represented in all the significant international organisations dealing with migration issues. It seems that Moscow is becoming more and more aware of the importance of these issues for the future of the world (in processes of globalisation), and is becoming more interested in taking advantage of other countries' experiences.

Russia is a key state of the **CIS**; it defines the priorities of this organisation and sets the tone for its operation. Moscow treats the CIS as an instrument for maintaining its influences. However, the most important agreements have been concluded in bilateral contexts.

On CIS territory, Russia developed close cooperation with Belarus. Since 1999, both states have formed the Union of Russia and Belarus, and have been attempting to co-ordinate their migration policy. The border between them is provisional, and their citizens are treated with priority in comparison with citizens from the remaining countries. Except for Georgia and Turkmenistan, Russia has agreements on visa-free traffic with all CIS states. Moscow has signed a series of bilateral agreements on regulating migration processes (the last such agreement was signed with Ukraine in 2001) and on the labour migration and protection of migrants' social rights (the last one, with Tajikistan, was signed in 2004). Intensive consultations on concluding a series of bilateral agreements on readmission are ongoing, although Russia has to date been evading them.

The cooperation between the Russian Federation and the **European Union** in the area of justice and home affairs (JHA) has gained significance only recently. This should be associated with events such as the terrorist attack on New York in September 2001, and the expansion of the EU in May 2004. The first event demonstrated the need to coordinate efforts in fighting international terrorism, and the second raised the issue of agreement in the area of trans-

port of people and goods between Russia and its Kaliningrad enclave. In May 2003, during the Petersburg Summit, the parties agreed on four main areas of cooperation, which also included JHA. The schedule for actions in this sphere was adopted during the Moscow Summit in May 2005.

Representatives of the Russian government have stated openly that the purpose of their actions is to sign an agreement on visa-free traffic with the EU. President Putin has made reference to this idea on many occasions. Currently this seems a distant possibility. Recently the parties have been conducting intensive negotiations on liberalising the visa regime. Talks on signing the appropriate agreement were initiated in October 2004. At the same time, talks on concluding the agreement on readmission were in progress (since the beginning of 2003). The European Union has linked both these issues, which has not been appreciated by Russia; this has led the negotiations to become rather drawn out.

Agreements on visa facilitations and on readmission were signed on 25 May 2006 in the course of the meeting in Sochi. This visa agreement is based on similar agreements concluded between Russia and some EU states, including France and Germany. It anticipates the facilitation of access to short-term visas (issued for a period of 90 days) to some categories of citizens, including sports people, scientists and businessmen. Visa fees will remain at 35 euro. The agreement on readmission anticipates a three-year long transition period, in the course of which Russia will not be obliged to accept citizens from third-world countries who have been deported from the EU. This will enable Moscow to conclude readmission agreements with the home countries of the migrants; the Russian Federation has already submitted a proposal to sign appropriate agreements to 30 states.

Russia is one of the main beneficiaries of the European Union TACIS Programme, which among other stipulations provides financing to JHA-related projects. In March 2003, the EU financed the preparation of a feasibility study on fighting the trafficking of women. The *National Indicative Programme* (for the period 2004–2006) referring to Russia anticipates expenditures of 20 million euro on migration-related projects. The EU is interested in developing cross-border cooperation (the common border currently exceeds 2200 km). There is still much work to be done in this area, as the position of Russia on border cooperation with Latvia and Estonia is very strict.

1.3. Conclusions

The authorities of the Russian Federation were not prepared, neither mentally nor organisationally, to face the migration challenges which emerged after the collapse of the USSR. In the 1990s, these issues were not treated as priorities. Their significance only increased after the terrorist attack in New York in 2001, when they were started to be considered mainly in the context of national security. Currently, the economic and demographic aspect is growing in significance.

The Russian-language Diaspora is the most numerous in the CIS region, and the living standards in the Russian Federation are higher than in most neighbouring countries, which results in a constantly positive migration rate in Russia. In the beginning, ethnic migration was the most important of the migration flows, which was connected with the specifics of migration processes resulting from the collapse of the USSR. Aside from ethnic Russians, representatives of other nationalities also arrived in the Russian Federation. Predominantly, the migrants came from the east and south to the west. The place of repatriated Germans and Jews was taken by representatives of Southern Caucasian and Central Asian nations.

Due to its scale and influence on the Russian people's everyday life, labour migration is currently the most important of all the types of migration flows. Russia is the largest labour market in the CIS region, absorbing the excess of the workforce from neighbouring countries. This situation will not change until the high prices of raw materials remain stable. Most guest workers work illegally in Russia, and the current efforts the authorities are making to change this state of affairs have not brought any notable results. The situation on the Russian labour market has a great influence on the social and economic situation in most of the CIS states, as Russia is one of the main foreign currency income sources in the region.

Russia's significance as a route for illegal migration seems to be decreasing, as in comparison with the 1990s, the logistical cost of smuggling has increased considerably, as has the degree of risk. The observed difficulties in legalising residence, the accumulation of xenophobic and nationalistic trends, and a possible socio-political crisis may lead to a change in this situation, increasing the pressure of illegal migrants on the eastern borders of the EU.

Russia has succeeded in developing a framework for a system to manage the migration policy, and pass an entire package of acts referring to migration. However, the effectiveness of the system is lessened by continuous reorganisation, lack of specific assumptions of the migration policy, the excessive repressiveness of the state structures and corruption.

Russia's migration policy bears the imprint of imperialistic traditions and ambitions as a great power, which influences it strongly in the area of international contacts. Russia defines its interests on a global scale, although with regard to the issues discussed, cooperation within the framework of the CIS is most important. The importance of the EU and China is increasing. The CIS region constitutes a reserve of cheap workforce and possible re-emigrants for Russia, who will be able to ease the negative effects of the demographic crisis. Usually, Moscow perceives access to its labour market as yet another instrument of political pressure on the territory of the former USSR. In its relations with the EU, Russia is mainly interested in liberalisation of the visa policy.

2. UKRAINE

Modern Ukraine is characterised by intensive migration flows. For many years, this state recorded a negative migration balance, which was a result of the mass emigration of its inhabitants, caused by ethnic, cultural and economic reasons. Emigration negatively affected the demographic situation of Ukraine. In 2005, for the first time in many years, the migration balance of Ukraine reached a positive value.

Currently, the main migration trend in Ukraine consists in temporary labour migration, which is not recorded in the migration statistics. According to the estimates there are at least 2 to 3 million Ukrainians working abroad. The main routes of illegal migration on the post-Soviet territory pass through Ukraine also. The Ukrainian state is not able to handle this proceeding on its own, as its borders with the CIS states are poorly guarded. Ukraine also faces problems with the deportation of illegal migrants which have been transferred by its neighbours. Even though the Ukrainian migration management system has been subject to important transformations in recent years, it is still faced with problems consisting of poor coordination, insufficient financing and the lack of concept of migration policy.

2.1. Migration movements

According to official data, around 2.5 million inhabitants left Ukraine and 2.2 million people came to Ukraine in the period 1991–2004⁶³. The migration trends observed in this country are conditioned by three basic groups of factors: mass dislocation of the population during the Soviet period, the country's current social and economic difficulties, and Ukraine's geographical location on the transit migration route from Asia to the European Union.

After the collapse of the Soviet Union, which prevented voluntary migration movements and applied mass dislocation of population on orders from higher authority, the foreigners living in Ukraine and ethnic Ukrainians residing in other parts of the former USSR started to leave spontaneously for the newly established national states. The opening of the borders also facilitated travelling to the West; mainly Jewish and German people left for this destination. The culmination point of this ethnic migration was in the period 1992–1993.

In subsequent years, natural repatriation processes became increasingly less intensive, and economic causes became the main motivation for Ukrainians to leave. Even though Russia remains the leading destination country in this category, Central European countries also enjoy such popularity, and recently certain South-Western European countries have joined the list of favoured destinations. According to official statistics, this type of migration is also decreasing (see Table 21). However, it should be remembered that due to the temporary nature of these flows, they are not comprehensively registered in the Ukrainian statistics. The situation abroad is similar, as Ukrainian guest workers usually work illegally.

Ukraine's location brings it popularity among inhabitants of the CIS region, Asia and Africa who are trying to pass through to the European Union, both legally and illegally. Part of these migrants, unable to enter the EU states, tries to obtain refugee status on the Ukrainian territory.

⁶³ See O. Malynovskaya, 'Caught between East and West, Ukraine Struggles with Its Migration Policy', Migration Information Source, January 2006; by this author; 'Ukraina bez barierov', Otyechestvyennyje zapyski, No. 4, 2004.

Table 21. Migration balance in Ukraine in selected years in the period 1998–2005

Year	Left	Arrived	Migration balance
1998	149,286	71,810	-77,476
1999	110,589	65,794	-44,795
2000	100,325	53,712	-46,613
2001	88,804	45,765	-43,039
2003	63,699	39,849	-23,850
2004	46,182	38,567	-7,615
2005	34,997	39,580	+ 4,583
Total	593,882	355,077	-238,805

Source: Ukrainian State Statistics Office

As shown in Table 21, according to official data, the negative migration balance of Ukraine amounted to around 230,000 people in the period 1998–2005. Throughout these years, the negative balance gradually decreased, and 2005 was a breakthrough year as the balance then became positive. The trend to increase will most probably be maintained in 2006; the statistics for the first half of the year indicate nearly six thousand more entrances than exits. In this period, 16,381 people arrived to Ukraine and 10,385 left the country. Interestingly enough, for several years, the number of people entering has remained at quite a stable level, whereas the number of people deciding to leave Ukraine permanently has been decreasing. The incomers usually come from the CIS region; particularly intensive exchange takes place between Ukraine and Russia⁶⁴.

2.1.1. Ethnic migration

The peak of ethnic migration in Ukraine was recorded in the period 1992–1993. At that time 828,000 people (of which 377,000 or 45.5% were ethnic Ukrainians) entered the country from the territory of the former USSR. In this period, 468,000 people left (of which 140,000 or 30% were ethnic Ukrainians). The arriving were mainly Russians and Crimean Tatars. This was the movement of a spontaneous nature, and the migrants coming to Ukraine could not count on any significant assistance from the state.

⁶⁴ It seems that vast majority of these people were inhabitants of Russia, who bought apartments in Ukraine, however do not intend to settle there for permanent residence.

The particularly deep social and economic drop which Ukraine has experienced resulted in a fairly rapid reversal of the migration trends. Whereas in 1992–1993 Ukraine had a positive migration balance, in 1994, the balance was already negative and amounted to 143,000 people. This trend turned out to be constant. In the period 1995–1999, the total negative migration balance amounted to 462,000 people. Those departing were mainly Russians, Ukrainians and Jews.

The repatriation and impatriation processes mainly concerned two ethnic minorities, the Jews and the Crimean Tatars, who in 1944 had been forcibly deported to Central Asia. The former group mainly left Ukraine, and the latter ones took advantage of the situation to return to their historic lands. The 1989 census showed 484,300 Jews in Ukraine; at that time, this minority constituted the third largest nationality group, after Ukrainians and Russians. The 2001 census conducted by the authorities of the now-sovereign Ukraine recorded only 103,600 Jews. The situation of Tatars was the opposite; in 1989, there were 46,800 of them in Ukraine, and by 2001 as many as 248,200. The peak of their return (mainly from Uzbekistan) took place in the period 1989–1993, when over 20,000 people (around 44,000 in 1990 alone) came back every year. Currently, the scale of returns varies between 1,500 to 2,000 people per year; and according to the experts, including Irina Pribytkova, no change in this situation should be anticipated. The Ukrainian authorities have assumed that the return of around 15,000 to 20,000 Tatars and representatives of other deported nations can be anticipated until 2010⁶⁵.

The natural repatriation processes are disappearing. The current exchange of population between the states of the former USSR is increasingly economically marked, despite the fact that migrants declare their family bonds to be the main reason for leaving. Russia is Ukraine's most important partner in this area. According to the 2002 census, 2,943,000 ethnic Ukrainians remained in Russia, and according to the 2001 census, 8,334,100 ethnic Russians remained in Ukraine. It should be assumed that in the future some of these people may want to change their country of residence. The scale of this movement and its direction will depend on the migration and social policy of the Russian

⁶⁵ Such assumptions were included in the repatriates adaptation programme from May 2006; Interfax, 15 May 2006.

Federation and Ukraine. Currently, Russia seems to feature many more advantages, as it constitutes an attractive centre for immigrants on CIS territory.

2.1.2. Labour migration

The low living standards in Ukraine force a considerable part of its citizens into temporary economic migration. According to estimates by the Human Rights Ombudsman of the Supreme Council of Ukraine, since 2003 between 2 and 7 million Ukrainians are earning their living this way at any given moment. Most experts question this data, claiming that they contradict both the results of a national census of 2001 and the analysis of border traffic. Moreover, as shown by the research of the Institute of Sociology of the Ukrainian Academy of Sciences completed in March 2005, only 8% of adult Ukrainians have worked abroad, and 6.4% were planning a possible departure for this reason⁶⁶. Therefore, it seems that the number of Ukrainians working abroad is closer to the lower rather than the higher limit of the estimates quoted. This corresponds with reference estimates made in November 2004 by the Minister of Labour and Social Policy Mikhail Panev, according to which around 3 million Ukrainian labour emigrants live abroad.

Russia remains the most important labour market for Ukrainian citizens. According to estimates by the Ukrainian Ministry of Foreign Affairs, over a million Ukrainian citizens work there illegally⁶⁷. Central European countries are also a popular destination for the Ukrainian labour emigrants, which is caused by their geographic proximity and liberal visa regime, among other factors. The intensive border trade practised at the beginning of the 1990s also paved the way for Ukrainian economic migration routes. The Ukrainian Ministry of Foreign Affairs estimates that around 300,000 Ukrainian citizens work in Poland⁶⁸, and between 100,000 and 200,000 in the Czech Republic⁶⁹. In recent years, the rapid rise of migrants from Ukraine was also noted by Southern European states. This results from both the better pay conditions in these countries and relatively liberal laws towards foreign employees which allows them to be more readily legalised. According to the aforementioned data by the

⁶⁶ See I. Pribytkova, *Transnational Economic migration: Ukrainian Perspective*, Warsaw: CSM 2006, page 3.

⁶⁷ Report of the Ombudsman of the Supreme Council of Ukraine, Kiev 2003, page 18.

⁶⁸ Polish estimated referring to the number of illegally employed Ukrainians range from 100,000 to 300,000.

⁶⁹ Report of the Ombudsman..., *op. cit.*

Ukrainian Ministry of Foreign Affairs, around 200,000 Ukrainians work in Italy, 140,000–150,000 in Portugal and around 100,000 in Spain. Ukrainian citizens have also found employment in Turkey (around 35,000) and the US (around 20,000 people)⁷⁰.

In most cases, Ukrainian migrants abroad are working illegally, although the number of legally employed Ukrainians in Southern European countries is increasing⁷¹. A certain percentage of migrants also illegally cross the border, usually into Poland, Slovakia, Hungary, Romania, on foot or by air. In 2005, the Polish Border Guard arrested 1,388 citizens of Ukraine (including 888 on the Polish borders with the EU states) for illegally crossing the border⁷².

An opinion poll conducted in 2003 at the request of the National Institute for International Security Problems disclosed that 38.4% of illegal economic migrants from Ukraine were employed in construction, 15.1% in trade and 14% as domestic help⁷³. Economic migration of Ukrainians is mainly of temporary character. The average stay of illegal labour emigrant depends, among other factors, on the organisational costs they incur. Usually, the average stay of a Ukrainian illegally working in Portugal lasts longer than a similar stay by his fellow citizen in Poland.

Men predominate among the migrants. The phenomenon of economic emigration is most apparent in western Ukraine, and less so in the eastern regions of the country. The emigrants usually come from villages and smaller towns⁷⁴.

It is difficult to calculate even the approximate amount of remittances made by Ukrainian citizens working abroad, as much of it is transferred informally. In 2003, the Human Rights Ombudsman N. Karpachova presented estimates, which show that Ukrainian migrants earn around US\$400 million every month. According to other sources, the annual money transfers amount from between

⁷⁰ *Ibidem*.

⁷¹ As a result of legalisation programmes conducted in the years 1997–2002, approximately 166,000 Ukrainians legalized their stay in Greece, Portugal, Spain and Italy; See ICMPD, Overview of Migration Systems..., *op. cit.*, page 277.

⁷² For more information refer to the first part of this study on illegal transit migration.

⁷³ S. Pirozhkov, O. Malynovskaya, A. Khomra, 'External labour migrants in Ukraine. The social and economic aspect', Kiev 2003, page 45.

⁷⁴ For more information refer to: I. Pribytkova, *op. cit.*

US\$ 4 to 6 billion⁷⁵. According to estimates by Mukomel, the average annual transfer from Russia to Ukraine amounts to over US\$ 1 billion.

2.1.3. Ukraine as a route for illegal migration

Regarding the threats posed by illegal migration, Ukraine should be considered as the weakest link in the chain of states bordering Poland in the east. The main migration channel through the Eurasian area crosses the Russian/Ukrainian border, and then passes through the Ukrainian territory towards this state's borders with Poland, Slovakia and Hungary.

After the accession of its western neighbours to the Schengen zone, Ukraine may experience an intensified influx of illegal migrants, including those already deported from the EU states. This country's state structures are still relatively weak, corruption is widespread, and the borders (especially those in the east) are poorly protected. Experts also cite other factors which favour illegal transit migration, such as the weakness of the visa policy, the absence of effective supervision over operations of legal entities and natural persons which invite foreigners, the existence of structures which organise illegal migration; the possibility for long-term illegal residence, illegal work and unhindered relocation within the country. Moreover, the effectiveness of the Ukrainian migration management system may be reduced by the signing of a re-admission agreement with the European Union, unless before that time Ukraine carries out the appropriate legislative and infrastructural changes, and in particular, develops mechanisms for the deportation, detention and registration of illegal migrants.

It is difficult to determine how many illegal immigrants are currently resident in Ukraine. Estimates range from several thousand to a million. Official Ukrainian estimates mention 600,000 such people. According to Sergei Pirozhkov, estimates in the range of 120,000 to 150,000 people staying there simultaneously seem most realistic⁷⁶. Olena Malynovska considers 500,000 as the most likely number which corresponds with the estimates provided by the IOM and representatives of the Ukrainian border guard⁷⁷. According to Victor Chu-

⁷⁵ See O. Malynovskaya, 'Caught between East and West...', *op. cit.*; *Vedomosti*, 24 January 2006.

⁷⁶ See article of S. Pirozhkov from 2000 on the migration policy of Ukraine; this article is available on the following Internet site: <http://www.demoscope.ru/center/fmcenter/piroj.html>

⁷⁷ O. Malynovskaya, 'International migration in contemporary Ukraine: trends and policy', *Global Migration Perspectives*, No. 14, October 2004, page 17.

mak, it can be assumed that an annual flow of illegal immigrants crossing Ukraine may top one million persons⁷⁸. It should be remembered that part of this group is made up of small entrepreneurs, immigrants from the Southern Caucasus and Central Asia, who trade in Ukraine and have no intention of proceeding onwards to Western Europe.

More specific data refer to the number of illegal immigrants arrested, while crossing the border or inside the country. In the period 1991–2003, the Ukrainian border service arrested over 91,000 illegal immigrants; the Ministry of Interior detained around 10,000 people in the period 2001–2003. Starting from 2000, the number of people arrested while attempting illegal border crossings has gradually decreased; meanwhile, the number of illegal migrants arrested inside the country has increased. According to Ukrainian experts, every year around 30,000 illegal migrants are arrested in Ukraine. According to official statistics from 2005, the Ministry of Interior arrested 14,800 illegal migrants, and the border service 17,900. Moreover, 38,200 people (of which 12,400 were deported) were held administratively liable for infringement of regulations concerning residence on Ukrainian territory by the Ministry of Interior, and 6,900 were held on the same basis by the border service (of who 6,800 were deported)⁷⁹. In 2006 the border service has apprehended a total of 26 thousand persons, who attempted to illegally cross the border, which amounted to more than 50 per cent increase over the previous year's figure. Among those people the biggest group was made up of citizens of Moldavia (9.5 thousand) followed by Uzbekistan (2.5 thousand) and Armenia (2.3 thousand). In the previous years most of those arrested were citizens of China, India, Pakistan, Afghanistan, Vietnam, Bangladesh and Iran. Recently, an increasing trend in the percentage share of the arrested CIS citizens, was noticeable. Most illegal immigrants are arrested in the Kiev and Zakarpattia (Transcarpathian) oblasts.

Ukraine is one of the most important European states regarding the recruitment of victims of international trafficking in human beings. It is also a transit country for trafficking women from other regions of the CIS or Asia. It is extremely difficult to estimate the number of Ukrainian women and children

⁷⁸ Interview of 23.01.2007 for the web portal Grani.plus.

⁷⁹ See State Committee for Nationalities and Migration of Ukraine; http://scnm.gov.ua/ua/a?news_coment_001.

aboard who have been forced into prostitution or slave labour. The International Organisation for Migration estimates that in the period 1991–1998, over half a million women from Ukraine were sent abroad from there to the West. According to information provided by the Ukrainian Ministry of Interior, in 2005 415 crimes connected with human trafficking were recorded, and 446 victims of this proceeding were returned home, which was an increase in comparison with 2004. According to the same source, the main destination countries where Ukrainian citizens are sold are Turkey, Poland, Russia, Israel, Germany, Bulgaria, the Czech Republic and Italy.

2.1.4. Refugees and internally displaced people

At the beginning of the 1990s, refugees from ethnic conflicts on the territory of the former USSR started to arrive in Ukraine. In 1992, Ukraine received around 60,000 refugees from Transnistria, usually of Ukrainian nationality. Also, 3,000 persons displaced by the Abkhazian conflict, 2,000 Chechens and around 5,000 refugees from Tajikistan, which was then in a state of civil war, found shelter there. These people received aid from the Ukrainian state pursuant to a special decision of the government, and not on the basis of the Geneva Convention, which Ukraine joined only 4 years ago.

In the following years refugees from outside the region started to arrive in the Ukraine, mainly citizens of Afghanistan. For several years now, the number of people applying for refugee status has remained at a relatively low level; around 1500 applications for refugee status are filed every year. In 2005, the State Committee for Nationalities and Migration (SCNM) received 1594 such applications. At the beginning of 2006, there were 2 346 refugees registered in Ukraine, 37 of whom received the status in 2005. The refugees originate from: Afghanistan, Azerbaijan, Russia (Chechnya) and Armenia, among other places. The statistics provided by UNHCP are similar.

It is highly likely that the number of asylum applicants will increase. This is connected with the increasing number of transit migrants, who cannot pass through to the European Union while in Ukraine. Some of them, who are unable to apply for refugee status in EU countries, will surely file such applications in Ukraine.

2.2. Migration policy

Initially, the solution to the Ukrainian migration problems mainly consisted of declarations unsupported by concrete action. The situation only started to change in recent years, and actual achievements in this area are still quite modest. A package of migration acts complied with international standards was passed and general principles for a migration policy were developed; however, considerable difficulties have been encountered in implementing them. These difficulties result not only from financial problems or the lack of executive instruments, but also from the state political instability and the lack of specialised personnel. Institutional changes do not keep pace with legal changes. Moreover, the Ukrainian state has sometimes tended to take international commitments regarding migration upon itself, which it has then proved unable to fulfil.

The Ukrainian migration policy has a temporary nature, and as such provides no answers to the questions of the role and place of migration movements in the process of national development. The Ukrainian authorities have failed to develop a draft migration policy. Moreover, according to some analyses, this policy is too closely connected with Ukraine's social policy, and fails to consider economic issues, i.e economic costs and benefits, which migration generates. Nor is there any concept of assimilating migrants and protecting Ukrainian economic migrants working abroad.

The creation of a migration management system in Ukraine has not been completed; the responsibilities and competences of the institutions involved in these matters are vague. After the 'Orange Revolution', the new government initiated the process of restructuring the entire state's administration system, including those organisations responsible for migration issues. Nevertheless, a target vision for the migration system has yet to be developed.

2.2.1. Evolution

The Ukrainian authorities did not have the experience of managing the migration movements of such a nature and on such a scale as emerged after the collapse of the USSR. The fact that Ukraine decided to sign readmission agreements (including that with Poland, concluded in May 1993), despite not being organisationally or financially prepared for their implementation, demonstrates the difficulties, which the Ukrainian authorities had in fully comprehending the migration problem.

The repatriation and ethnic migration issues were the first subject area the new authorities dealt with. In 1991, a relatively liberal Law on Ukrainian Citizenship was passed, which permits descendants of former Ukrainian citizens to obtain citizenship. However, problems connected with repatriation, such as the integration of displaced persons or property rights, were not addressed. The Supreme Council passed an Law on the Reinstatement of Rights to Persons Deported for Ethnic Reasons' only on 24 June 2004. In May 2006, the Ukrainian government approved the current programme for adaptation and assistance to the Ukrainian Tatars and representatives of other deported nations⁸⁰. The absence of any state support programmes for repatriates caused many people of Ukrainian origin from the CIS area to emigrate to Russia instead of Ukraine.

In the period 1993–1996, the Ukrainian authorities started to develop legal foundations for a migration policy. In December 1993, an Law on Refugees was passed; in January 1994, a Law on the Entrance and Exit of Ukrainian Citizens, and in February of the same year, a Law on the Legal Status of Foreigners. Moreover, the Law on Employment contained provisions establishing agencies to deal with organising work for Ukrainians abroad; the basis of the migration management system also started to emerge. However, this was a chaotic and uncoordinated process. In 1993, within the framework of the Ministry of Interior, a Registration and Migration Service was established. In June 1994, the Council of Ministers passed a resolution “on the establishment of migration service organs in Ukraine”, but this has not been fully implemented. The Ministry of Nationalities and Migration was established, and in July 1996 it was transformed into the State Committee for Nationalities and Migration. Soon afterwards, the authorities deemed the work of this organ to be unnecessary, and incorporated it into the Ministry of Justice. In September 2001, alongside the activation of government policy in the area of migration, President Leonid Kuchma reactivated the committee as an independent organ of the higher state administration.

The second half of the 1990s was a period where migration policy showed little activity. It was only in the period 2000–2001 that the Ukrainian authorities decided to complete the migration management system and develop an appropriate policy concept. New laws on refugees and on immigration were then passed, and the Law on Citizenship was amended. In addition, a pro-

⁸⁰ First such programme (until 2005) was adopted in 2002.

gramme for fighting illegal migration was also approved, the State Department for Migration, Citizenship and Registration was established within the Ministry of Interior and reform of the Border Service was commenced. The changes adopted in this period enabled Ukraine to join the Geneva Convention and obtain IOM membership.

In August 2003, the Cabinet of Ministers adopted a programme for regulating migration processes in the years 2003–2005. The following migration policy development priorities were mentioned in this document: completing the development of normative and legal bases and developing effective mechanisms for regulating the migration processes; the legal protection of refugees; favouring the repatriation to Ukraine of emigrants and their descendants; the development of legal and socio-economic principles regulating labour migration; and the development of international cooperation in the area of migration.

The period 2004–2006 saw Ukraine subordinating the development of its migration policy to endeavour to meet international standards, including the requirement to sign an agreement with the European Union on liberalising principles for the movement of people. The Ukrainian authorities have paid most attention to the problem of fighting illegal migration; in 2004, Ukraine adopted the second consecutive plan to combat this phenomenon (for the years 2005–2007). It also introduced changes into legislation by increasing penalties for crimes connected with illegal migration and illegal crossing of the border. The law enforcement agencies have started to monitor universities and tourist agencies in order to detect whether these entities have been issuing false certificates entitling them to legalise residence for illegal migrants. The actions undertaken by Ukraine are thus of a mainly regulatory and repressive nature, which does not give immigrants any opportunity to escape from the grey zone. This problem could be solved by announcing an amnesty, as was suggested back in 2004 by the management of the Committee for Nationalities and Migration.

The basic challenge, which Ukraine must face, is that of developing a protection system for its citizens working abroad. The above-mentioned report by the Human Rights Ombudsman in 2003 indicated the weakness of this element of Ukraine's migration policy. Ukraine is not a member of the UN Convention on the Protection of the Rights of All Migrant Workers Members

of Their Families, or of the European Convention on the Legal Status of Migrant Workers, however work on joining these conventions is in progress. Ukrainian citizens working abroad usually do not have access to the Ukrainian retirement and social benefits system. The cooperation agreements in the area of economic migration, signed in the 1990s with such countries as Poland, Czech Republic, Slovakia, Lithuania and some CIS countries, in practice operate within a very limited scope. Concrete actions on labour migration have only been undertaken by the Ukrainian authorities in the last two years. In November 2004, a programme to protect the rights and interests of citizens going abroad was approved. An assistance centre for Ukrainian citizens working abroad was opened by the Ukrainian Ministry of Foreign Affairs as part of this programme. This centre is an information point for potential migrants, and provides assistance to Ukrainians, who are abroad. There are plans to open offices in five regions of the country. Moreover, Ukraine is conducting negotiations with countries where Ukrainians work, suggesting that they finalise agreements on the mutual protection of economic migrants.

The Ukrainian authorities are also trying to improve the legal and institutional bases for protecting refugees, illegal migrants and victims of human trafficking. In May 2005, the Law on Refugees was amended by extending the deadline for persons applying for refugee status to file their applications. Also, regional centres of migration service, which handle refugee procedures among other duties, were established. On the other hand, the content-related preparation of offices to process these applications is insufficient, and integration programmes for refugees are of merely a symbolic character. Furthermore, the authorities' record on giving persons seeking asylum the opportunity to appeal to court, and of not expelling foreigners to countries which use torture, must also be deemed inadequate. This was confirmed by the Ukrainian authorities' decision in February 2006 to deport eleven refugees from Uzbekistan, who had been denied asylum. Yet another problem constitutes the poor treatment of illegal migrants, who are often detained in the custody of the border guards, instead of in deportation centres, and who are subject to lengthy deportation procedures⁸¹.

⁸¹ See Human Rights Watch, *Ukraine: On the Margins Rights Violations against Migrants and Asylum Seekers at a New Eastern Border of the European Union*, November 2005.

A separate issue is the use of immigration inflows, including repatriation, to improve the demographic situation. In contrast to Russia, Ukraine did not decide to develop any legislation facilitating the inflow of immigrants from the CIS region. Also programmes that would encourage Ukrainian migrants to return from abroad and invest the money earned abroad in their homeland, and so develop private entrepreneurship, are missing.

At the end of May 2006, the State Committee for Nationalities and Migration presented the plan of migration policy concept which had long been anticipated. The document recognises the following current objectives: legally determining the main tasks of the state's migration policy and adopting the normative acts necessary to implement it, as well as establishing the institutional and financial collateral to implement this policy. The document emphasises that despite the adoption of many documents on this matter, there is as yet no organ in Ukraine which can cover the entire area of the migration question. It also emphasises a lack of automated population databases, including databases on migration flows. The draft sets very ambitious long-term objectives, such as (1) the development of a migration situation that would favour the socio-economic, demographic and cultural & educational development of the country and (2) preventing the outflow of the country's workforce and intellectual potential. To implement these tasks, the document suggests that an internal migration programme be developed as an alternative to foreign migration and an idea to attract emigrants from Ukraine back there.

2.2.2. Structures

Most Ukrainian central offices have been mentioned in the documents concerning the regulation of migration processes. However, the following entities are directly responsible for actions in this area: the State Committee for Nationalities and Migration (SCNM), the Ministry of Interior, the State Border Guard, the Ministry of Labour and Social Policy, the Ministry of Foreign Affairs, the Ministry of Justice. It is also covered by institutions such as the National Security and Defence Council and the Ukrainian Security Service. The competences of different institutions have not been rationally divided; there are cases in which tasks are duplicated, and there are also difficulties in determining which organ is responsible for a given area of policy. This is confirmed by the migration policy concept mentioned above. The development of the migration management system has still not been completed, and it is not known whether the main organ currently responsible for the migration policy,

the Committee for Nationalities and Migration, will not undergo liquidation or a far reaching restructuring. According to the November 2006 decree of the Cabinet of Ministers, the Committee is to be merged with the National Department for Religion, which may lead to marginalisation of migration policies and an evolution of the Committee into a structure of a ethnic-social makeup.

The competences of the SCNM include the implementation of acts on refugees and repatriates, and the preparation of documents concerning migration. In July 2003, part of the work on illegal migration concerning the preparation of deportation resources was passed to its administration. The Committee is also responsible for granting refugee status. Moreover, pursuant to the decision of the Ukrainian Cabinet of Ministers taken in May 2004, the regional organs of the migration service were subordinated to the SCNM. The ineffective and duplicated nature of the migration management system is confirmed by the fact that the divisions of the State Department on Migration, Citizenship and Registration of the Ministry of Interior of Ukraine operate independently of the SCNM's offices.

Information regularly emerges concerning the possibility that the Committee will be liquidated or restructured. In the beginning, pursuant to the act of 2003, its future destiny was supposed to be connected with the development of a new structure, the migration service of Ukraine. However, the act was not adopted. In February 2005, President Victor Yushchenko announced plans to reform the state administration, including plans to liquidate the SCNM. To date, the only real effect of restructuring the Committee has been the appointment of its new chief⁸². The investigation of infringement of the refugee proceedings procedure, instituted by the public prosecutor's office in mid-2006, was unfavourable to the authority of the Committee⁸³.

The Department on Fighting Illegal Migration in the Ministry of Interior, which focuses on human trafficking and detecting transfer channels for illegal immigrants, is responsible for combating illegal migration within the country. The Ministry of Interior conducts part of its operations in cooperation with the State Border Service, which is increasingly involved in fighting illegal migration. In 2001, a special division for combating this phenomenon was es-

⁸² Hennadiy Moskal was replaced by Serhij Rudyk (dismissed in January 2007).

⁸³ Fakty, 11 July 2007.

tablished within the framework of the border service. Issuing work permits, both for Ukrainian citizens outside its borders and foreigners in Ukraine, is the responsibility of the State Employment Centre of the Ministry of Labour and Social Policy.

2.2.3. International cooperation

Ukraine's external policy for migration concentrates on two basic geographic directions: the CIS area and the European Union states. Ukraine also cooperates with international organisations specialising in migration problems. Due to close cultural, ethnic and economic connections, the objective of Ukrainian policy regarding the CIS states consists on one hand in maintaining a relatively liberal visa regime and principles of residence for its citizens on the territory of these countries (especially in relations with Russia), and on the other on stopping the wave of illegal migration coming from this area. Even though Russia has usually accepted the illegal immigrants arrested by the Ukrainians on the border, it is unwilling to act in conformity with the formal records of the readmission agreement. In February 2006, the assumptions of the Ukrainian-Russian readmission agreement were determined at the expert level; however, it is difficult to judge whether Russia will in the end agree to sign it. As far as CIS territory is concerned, Ukraine has only been able to sign readmission agreements with Georgia, Moldova, Turkmenistan and Uzbekistan. Belarus is making the conclusion of its agreement dependent on the prior conclusion of such an agreement between Ukraine and Russia.

The presence of a considerable community of Ukrainian migrants (mainly illegal) in Russia provides Moscow with a tool to pressurise Ukraine. In the autumn of 2004, during the course of the presidential campaign in Ukraine, Russia – which wanted to increase Prime Minister Victor Yanukovich's chances of winning – had extended the duration of unregistered residence for Ukrainian citizens from 3 to 90 days. The asymmetry in migration flows with Russia also makes Ukraine the party most likely to make concessions and initiate the development of cooperation in the field of migration. Ukraine's decision from 2001 requiring CIS citizens to enter the Ukrainian territory with foreign passports did not include Russian citizens⁸⁴. For several years, Kiev has been negotiating a comprehensive agreement with Russia to regulate the problem

⁸⁴ And Belarus.

of labour migration, including a provision for the full rights of Ukrainian employees.

Ukraine is a signatory of the basic conventions and cooperation programmes in the area of migration adopted within the framework of the CIS, and representatives of Ukraine regularly participate in official meetings on these issues.

In its relations with the EU and its members, Ukraine is aiming towards liberalising the visa regime and concluding agreements facilitating the legal employment of Ukrainians. Moreover, Kiev is hoping that cooperation with the EU will result in financial aid and technical assistance to reform the migration system, especially the expansion of the refugee protection system and the development of centres for detaining illegal migrants. The Action Plan in the area of JHA (Justice and Home Affairs) from 2001, which was incorporated in February 2005 into the general EU–Ukraine Action Plan implemented within the framework of the European Neighbourhood Policy, constitutes the current fundament of cooperation between the EU and Ukraine in the area of migration and asylum.

In November 2005, negotiations between Ukraine and the European Union on the easing of visa restrictions to the Ukrainian citizens were commenced. An agreement in this matter, along with the readmission agreement⁸⁵, will be signed soon. The accords were paraphrased in October 2006 during the EU–Ukraine Helsinki Summit. The shape of the possible readmission agreement raised many controversies. Ukrainian experts emphasise that, despite the fact that the visa facilitations offered to Ukraine will be similar to those once proposed to Russia, Ukraine was still being offered a less advantageous readmission agreement (without the clause stating no acceptance of third-country citizens for a specific transition period). Therefore, Ukraine is counting on the European Union to offer it a considerable financial aid to solve problems connected with receiving illegal immigrants from EU countries. As follows from the information of the EU side, the total expenditure in 2007 will most probably amount to 30 millions euros.

In the 1990s, Ukraine signed agreements on economic migration with Russia, Belarus, Moldova, Lithuania, Latvia and the Czech Republic⁸⁶, Slovakia and

⁸⁵ Ukraine concluded bilateral agreements on readmission with all its western neighbours i.e. Poland, Slovakia and Hungary.

⁸⁶ No longer prevails.

Poland, among other countries. However, these agreements remain in limbo to a certain extent. New-generation labour migration agreements making it easier for facilitating migrants to work legally have been concluded only between Ukraine and Portugal. Ukraine is negotiating analogous agreements with Italy, Greece, Spain, Poland, the Czech Republic and other countries.

Ukraine's aim of developing a migration management system compliant with generally accepted international standards means it is eager to use the support and assistance of the International Organisation for Migration, the Office of the United Nations High Commissioner for Refugees, OSCE and many other such organisations. It also participates in the Söderköping and Budapest Processes.

2.3. Conclusions

The socio- economic crisis and the transformational difficulties which Ukraine experienced in the 1990s, whose results are still being felt to date, resulted in the increased emigration of its population, both permanent and temporary. Only in 2005, for the first time in many years, did Ukraine's migration balance become positive. According to official data, over 2.5 million inhabitants left Ukraine in the period 1991–2004, although the actual number of emigrants may be much higher. In the same period, around 2.2 million people came to Ukraine. Outside the state borders, there is a considerable group of labour migrants; every year, several million citizens emigrate in search of work. Most migration flows through Ukraine take place within the framework of the former USSR.

In the first half of the 1990s, ethnically motivated migration was dominant in Ukraine; Jews, Germans and Russians left, and Ukrainians arrived (although fewer than representatives of other titular nations in the CIS region), as did Crimean Tatars. Such ethnic migrations are slowly ceasing. Despite the fact that there are around 3 million Ukrainians in Russia alone, it should be presumed that unless there is a serious social and economic crisis in Russia, and Ukraine prepares an attractive repatriation programme, these people will remain in their current country of residence.

Currently, the basic motivation for Ukrainians travelling abroad is the desire to earn money. Due to the predominantly illegal nature of the employment undertaken by Ukrainian guest workers, estimates referring to this number

vary considerably. Most probably, there are between 2 and 3 million Ukrainian labour migrants currently working abroad. The main destination countries are the Russian Federation, Poland, Italy and Portugal. Within the past two years, the increasing number of illegal labour emigrants has forced the authorities to undertake measures to legalise their employment abroad.

Another typical migration situation in Ukraine is the intensive transit migration passing through its territory. The main transfer channel through the Eurasian area crosses the Russian/Ukrainian border, and then passes through the Ukrainian territory and towards its borders with Poland, Slovakia and Hungary. Estimates of the number of illegal immigrants staying in Ukraine range from several thousand to a million. Kiev is unable to handle this phenomenon, and so mechanisms for protecting its eastern borders, as well as for the deportation, detention and detection of illegal migrants, need to be improved.

The development of the migration management system has not been fully achieved in Ukraine. The administrative reform of the state, which will include the current structures responsible for migration issues, has been announced for several years now. Ukraine has adopted a package of basic documents and developed general assumptions for a migration policy. However, Ukrainian migration policy as yet has a temporary nature, without having been thought through properly, and does not give answers to the questions regarding the role of migration movement in the process of national development. A draft migration policy is yet to be developed. However, it seems that the main objective of Ukraine's migration policy is not permitting the country to become a centre for illegal immigration, and to civilise the economic migration of its citizens.

The objectives of Ukraine's external policy of in the area of migration are as follows: to allow its citizens to freely travel and work, and to obtain financial aid and advice from the international community in the fighting illegal migration. Ukraine aims both for Russia to maintain its liberal principles of entrance onto its territory, and to introduce principles simplifying movement of people with the EU countries.

3. BELARUS

The migration situation in Belarus differs from that ones which we can observe in Ukraine or Moldova. Since the collapse of the USSR, Belarus has recorded a positive migration balance, which results from both the relatively low-intensive labour migration and the constantly decreasing, yet still incoming stream of immigrants. On the other hand, because of the existence of the Union of Russia and Belarus, Bielarussian immigrants residing in Russia are not included in the statistics.

Belarus, which borders Poland, Lithuania and Latvia, remains an attractive country, albeit less so than Ukraine, to transit migration from other countries of the CIS region, Asia and Africa into the European Union. Despite the fact that the western frontiers are well protected, the border with Russia remains entirely open, which makes it difficult for the Belarusian authorities to control it effectively.

3.1. Migration movements

Belarus has a positive migration exchange balance with all the countries established after the collapse of the Soviet Union. In the period 1990–2003, its positive exchange migration balance within the framework of the former USSR amounted to over 265,000 people. Around 90% of this exchange is attributable to three countries: Russia, Ukraine and Kazakhstan. On the other hand, from the very beginning of its independence, Belarus has recorded a negative migration balance with countries from outside the post-Soviet area. However, these are not large flows.

In the first years after the collapse of the USSR, Belarus experienced the most intensive migration flows. The opening of the borders and the establishment of an independent Belarus resulted in the return of Belarusians (and also Russians) from other post-Soviet countries, while Jews and others left. The officially registered flows gradually decreased, and Belarus' positive migration balance started to shrink. The decreases mainly concerned immigration flows; however emigration also decreases, this process is still not as rapid. In 2004, the migration balance amounted to just over 2,000 people, and in 2005 (as of November) less than 1,500 people (see Table 22).

Table 22. Migration balance in Belarus in the period 1999–2005

Year	Left	Arrived	Migration balance
1999	13,238	30,830	17,592
2000	13,812	25,943	12,131
2001	14,270	23,355	9,085
2002	13,378	18,939	5,561
2003	12,986	18,146	5,160
2004	12,510	14,642	2,132
2005 (I–XI)	10,342	11,759	1,417
Total	90,536	143,614	53,078

Source: Ministry of Statistics and Analysis of the Republic of Belarus

Belarus is both the country of origin of labour migrants, and a destination country for labour migration (mainly from the CIS area). The routes of transit migration pass through Belarus into the European Union states. Most often attempt to cross into Europe through Belarus are made by inhabitants of Asia and Africa, but also of the former USSR countries. These immigrants arrive from their countries of origin in transit from Russia or directly to Belarus.

3.1.1. Ethnic migration

The first wave of migration in independent Belarus was of an ethnic nature. Immigrants who felt nationally and linguistically connected with the Belarusian state, including ethnic Belarusians (constituting around 50% of all immigrants) together with Russians were the first to arrive. Belarusians from other post-Soviet area states also left for Russia and Ukraine. Those who emigrated from Belarus were mainly representatives of national minorities and people who during the Soviet period had come to Belarus for professional or family reasons, including soldiers, workers and students.

The pace of these migration flows gradually decreased, and their dynamics is currently nearly 10 times less than at the beginning of the 1990s. This results from an exhaustion of simple repatriation exchange reserves, and the stabilisation of the political and economic situation in the CIS as a whole, as well as relative drop in the attractiveness of Belarus as a destination settlement country. According to data of the Russian 2002 census, Russia was inhabited by 815,000 ethnic Belarusians. These people could constitute a potential immigration background, even though when comparing the current economic

and social trends in Russia and in Belarus, it does not seem that the ethnic Belarusians living in Russia intend to leave the latter country.

The emigration of representatives of other national groups, including emigrants of Jewish origin, who predominate in this category, is coming to a halt. These emigrants from Belarus are mainly focused on Germany, USA and Israel, and it is these countries which generate the most migration exchange between Belarus and the so-called ‘far abroad’.

3.1.2. Labour migration

The officially issued number of permits to leave Belarus for work purposes abroad, as well as for the employment of foreigners in Belarus, is relatively small. In the years 1994–2003, a total of around 34,500 Belarusians left for labour purposes, and around 12,100 people arrived in Belarus. There is a constant trend of those incoming being outnumbered by those outgoing; presently, this difference is growing. A considerable jump in the number of permits issued to Belarusians for work abroad has been observed since 2003, which mainly results from the greater interest of students in seasonal work opportunities in the US.

The state authorities in Belarus are quite active in monitoring the observance of law concerning both Belarusians leaving to work abroad and the employment of foreigners in Belarus. However, the corrupt administrative procedures in the CIS pose questions regarding the efficiency of such monitoring.

Belarusian experts quite commonly call the official statistics on labour emigration of Belarusians into question, claiming that they do not reflect the scale of this phenomenon. V. Migas and A. Niekhai, in an article entitled “Global and Belarusian experiences in the regulation of external labour migration” estimate that around 50,000 citizens of this country work abroad⁸⁷. It seems that these estimates are rather cautious. In Russia alone, the number of employed Belarusians may be much higher because, as citizens of the Union of Russia and Belarus, they can be easily employed there. The official statistics on the number of Belarusians working in Poland are inadequate to the actual state of affairs; it can be estimated that every year at least several dozen thousands Belarusians come to work to Poland. Russia and Poland are among

⁸⁷ Belarusian Journal of International Law and International Relations, 2004, No. 1.

the most popular countries for Belarusian guest workers, although not the only ones. The estimates made by Professor Ryazentsev from the Academy of Sciences of Russia, who believes that between 200,000 and 280,000 Belarusian citizens work outside the country, can be considered as relatively credible. The future scale of this phenomenon will mainly depend on development of the social and economic situation in Belarus. The constant large disproportion in the level of salaries between Belarus and neighbouring countries will encourage Belarusians to seasonal labour migration. On the other hand, the authorities do not seem to favour unregistered labour migration; they claim that it is accompanied by negative phenomena such as human trafficking, smuggling or the development of a shadow economy. Currently, in some regions of the country and in some sectors of the economy (including in agriculture) there are problems with finding labour force. A shortage of workforce had forced the Belarusian government to issue a regulation which legalised the residence of CIS countries' citizens in Belarus who at various times had come to work in agriculture. This regulation applied to around 3,000 people.

3.1.3. Belarus as a route for illegal migration

The statistics on illegal migration announced by representatives of the Belarusian authorities differ considerably from one another. On 27 November 2003, at the inauguration of a conference on "Illegal migration as a threat to international stability and security of states" in Minsk, the Chairman of the upper chamber of the Belarusian Parliament Hennadz Navitski stated that there are between 500,000 and 800,000 people who could be classified as illegal immigrants on the territory of Belarus⁸⁸. A few days later, in his interview with *Der Spiegel*, President Lukashenka said that recently, around 200,00 illegal migrants had entered Belarus, and now constituted an excessive financial burden for his country⁸⁹.

Meanwhile, on 23 June 2004, during a meeting with the Chairman of the CIS' Executive Committee Vladimir Rushailo⁹⁰, the Belarusian Prime Minister Siarhiei Sidorski estimated the number of illegal immigrants in Belarus as between 50,000 and 100,000 people. This number seems more realistic. This is confirmed by information indicated by the force structures. At the beginning

⁸⁸ Belapan, 27 November 2003.

⁸⁹ Reuters, 6 December 2003.

⁹⁰ www.government.by/rus/council_mnisters.htm

of 2005, the Deputy Chief of the Department for Citizenship and Migration of the Ministry of Interior, Alexei Begun, estimated that around 30,000 foreigners, who wish to migrate into the EU illegally, come to Belarus every year⁹¹. Meanwhile, according to the head of the Belarusian KGB, Stephan Sukharenka, the number of illegal transit migrants coming to Belarus every year increased from 30–50,000 to 100,000 after the EU enlargement in 2004⁹². However, when trying to estimate the number of illegal immigrants remaining in Belarus, it should be borne in mind that the Belarus/Russia border is open. Transferring a group of illegal immigrants by car from the Moscow region to the Polish border is a matter of around 10 hours.

The statistics on the arrests of foreigners who violated border crossing regulations or terms of residence may help to estimate the actual scale of illegal migration in Belarus. According to official data from the Belarusian Ministry of Interior, in 2004 over 24,000 foreigners were prosecuted for violating the principles of residence and transit crossing⁹³ (around 37,000 in 2003), including over 2,000 deported (2,300 in 2003). In the first eight months of 2005, 16,000 foreigners were held administratively liable for violating the principles of residence, of whom 1,300 people were deported. It should be remembered that this category includes all foreigners who one way or another have violated the principles of residence in Belarus, and therefore statistics of border arrests and the arrests of illegal migrants' groups may also prove useful when estimating the number of illegal transit migrants.

According to the State Border Guard Committee over three thousand illegal migrants were arrested in the years 1999–2004, and 160 in 2005⁹⁴. In comparison with Ukraine, these statistics are not very high, nor do they show any trend to grow. The increase in the number of irregular migrants arrested in groups constitutes a disturbing trend; whereas in 2000 36 such groups (comprising 321 individuals) had been arrested, in the first eleven months of 2004 this number increased to 122 (comprising 1,017 individuals)⁹⁵. Citizens of China, India, Pakistan and Afghanistan predominate among those arrested for ille-

⁹¹ See 'Illegal migration – a significant problem of international security', www.soyuz.by, 13 January 2005.

⁹² Belapan, 29 November 2005.

⁹³ *Ibidem*.

⁹⁴ www.gkpv.gov.by/ru/fghfg

⁹⁵ Statistics provided by the Department for Citizenship and Migration of the Ministry of Interior.

gal crossing of the border. Meanwhile, people breaking the principles of residence in Belarus are often citizens of other CIS states. The statistics mentioned indicate that the number of illegal migrants arrested in Belarus has stabilised at the level of 2,000 to 3,000 people per year. This migration is increasingly taking on an organised nature, and international crime groups participate therein.

Belarus is also a country of origin and transit for victims of human trafficking. This procedure mainly applies to young women, who under various pretexts are taken away from Belarus to Western Europe, South America, Japan or to the Middle East, and then are forced to work as prostitutes. The International Organisation for Migration emphasises that also men are forced to work and often become victims of modern forms of slavery. According to estimates from the Ministry of Interior, the scale of this phenomenon is between 2,000 and 20,000 people a year. In the last five years, the number of disclosed crimes connected with human trafficking has increased threefold. In 2004, 229 people were prosecuted for this type of crimes, in 2005 359 people, and since June 2006 121 people⁹⁶.

3.1.4. Refugees and internally displaced persons

The main wave of refugees reached Belarus in the first half of the 1990s, when there were no legal and organisational bases for handling this problem. In the period 1992–1996, the migration service in Belarus registered over 30,000 people from the CIS area who applied for refugee status but faced with the lack of proper legislation, they did not receive it⁹⁷. Belarus passed its first Law on Refugees in 1995, and started to grant refugee status in February 1997. In the period from February 1997 to May 2004, around 3,000 people applied for the refugee status. In 2001, Belarus ratified the Geneva Convention and the New York Protocol, and has begun work on granting refugee status on the basis of these documents. Over 20% of applications have been approved, which demonstrates quite a large degree of liberalism of the Belarusian migration institutions.

⁹⁶ Belapan, 28 June 2006.

⁹⁷ See L. P. Skhahodko, 'Specification of external migration in Belarus' (Osobiennosti wynuzhdonnoy migracyi w Belarusi), speech at a conference entitled 'Migration, social and trans-cultural aspects of state development' ('Migracya, sotsyalnye i mezhkulturnye aspekty ustoitshivogo razvityja'), Moscow 10–12 March 2004.

According to data provided by the Ministry of Interior, 771 refugees were registered in Belarus in June 2005, of which 661 were resident in this country. This number contains inhabitants of Afghanistan (547 people), Georgia (117 people), Tajikistan (32), Azerbaijan (28 people) and Ethiopia (23 people). The number of asylum applications remains at a rather stable low level; in 2003, 140 applications were filed, in 2004 170, and in 2005 210⁹⁸.

Due to frequent cases of human rights violation, Belarus is the country of origin of people seeking for asylum. However, this group is not very numerous. According to the UNHCR statistics, in 2004 2624 citizens of Belarus applied for refugee status and asylum in 36 most industrialised countries in the world, and in 2005 the figure was 2214 people. At the end of 2003, 2172 citizens of Belarus, among others residing in Austria, the Czech Republic, France, Germany and the US had refugee status. The further strengthening of the Lukashenka regime may intensify this process. Also, the unprecedented scale of repression towards the political opposition which occurred in connection with the presidential elections in March 2006, should be emphasised.

3.2. Migration policy

Currently, together with the Department for Citizenship and Migration of the Ministry of Interior, the most important role in migration affairs is played by the State Border Guard Committee and the KGB. All these are power structures, which is quite characteristic for Belarus, and reveals its priorities in migration policy. In its repressive and supervisory functions, this system is rather effective, while neglects other elements, such as humanitarian functions.

Migration movements are subject to the authorities' increasingly severe restriction. In the last two years, Belarus has restricted the right of its citizens to leave the country as well as the right of foreigners to enter. The main priority in the area of migration seems to be fighting illegal migration and rigorously regulating the population's residence and internal movement. The Belarusian authorities emphasise threats connected with migration, such as organised crime or international terrorism. The issue of combating criminal groups organised on ethnic bases dealing with smuggling of persons occupies much of the discourse in public statements by Belarusian officials.

⁹⁸ Data provided by UNHCR.

Despite the fact that Belarus is recording a negative population growth rate, it is not treating immigration as a method for improving its demographic situation. Ethnic Belarusians are an exception to this rule; however, their repatriation remains in the sphere of an intellectual exercise, rather than in real actions.

3.2.1 Evolution

In the first phase of forming its migration system, Belarus focused on adopting legislation which provided legal grounds to the regulation of migration flows passing through its borders quite freely. According to L. Tikhonova, the Belarusian government, faced with the lack of any efficient mechanisms to regulate migration, adopted an ‘open door’ policy with respect to the problem of incoming foreigners⁹⁹. The Law on the Legal Status of Foreigners and People without Citizenship from 1993, and the Law on Entry into and Exit from the territory of the Republic of Belarus from the same year, should be seen as rather liberal. Also, the Law on Citizenship from 1991 was not especially restrictive, and granted Belarusian citizenship to all people with permanent residence in Belarus as of the moment it came into force. This document also anticipated numerous facilitations for people connected with Belarus to obtain citizenship, either by origin or by workplace.

In the second half of the 1990s, together with the decrease in the intensity of migration and certain experiences the Belarusian authorities had gained in the area of managing migration, a decision was taken to develop the legal assumptions of the state’s migration policy. In 1998, the Council of Ministers of the Republic of Belarus first adopted a document entitled the “State migration programme for the period 1998–2000”. This programme constituted an attempt to systematise the most important tasks of the state in the area of migration, to specify deadlines for their implementation and appoint competent authorities. Emphasis was laid on issues such as improving the law in the area of migration, organizing migration control and regulating its streams, placing refugees, and conduct with reference to immigrants in compliance not only with Belarusian standards but also those of international law. After the adoption of this programme, the Belarusian authorities began filling the gaps in the country’s migration legislation; in 1998, a Law on Immigration was passed, and in 1999 a Law on External Labour Migration.

⁹⁹ L. E. Tikhonova, ‘Contemporary migration trends In Belarus’ [in] J. R. Azrael et al. (edit.), *Cooperation and Conflict in the Former Soviet Union: Implications for Migration*, 1996, page 82.

Another stage in the development of Belarus' migration policy was connected with expanding the competences of the Ministry of Interior in this area. Additionally, legislation connected with fighting illegal migration and human trafficking was expanded. In 2000, a bill on pursuit of crimes connected with migration was introduced, and the Palermo Convention was ratified with its additional protocols. Moreover, the refugee protection system was adjusted to the requirements of international law. In 2001, Belarus joined the Geneva Convention, and in 2003 it passed a new version of the Law on Refugees. In 2001, Belarus adopted the 'State migration programme for the period 2001–2005'. From descriptions of this document, it seems that the following are among the priorities of the Belarusian migration policy: developing favourable conditions to attract ethnic Belarusians to the country, regulating immigration and integration with the global labour market, optimising the refugee protection system.

In recent years, the migration policy has been subordinated to the primary political objective of the President Alyaksandr Lukashenka's regime, which is to prevent the outbreak of any 'colour revolution' and eliminate the political opposition. To that end, the Belarusian authorities have commenced organisational measures restricting the entrance of foreigners supporting the opposition, including journalists or independent political observers. An important element of this strategy also constitutes the introduction of principles making it difficult for citizens (especially young people) to leave. Also, the currently observed intensification of measures focused on fighting illegal migration allows the authorities to monitor the flow of people with respect to their political activity.

The first group of new laws contains provisions regarding the citizens of Belarus. In March and November 2005, Alyaksandr Lukashenka issued decrees on human trafficking. According to these documents, students who want to go abroad and start studying, or even to participate in cultural and sports events, must obtain permission from the Ministry of Education.

In February 2006, the Law on the Legal Status of Foreigners was amended, which among other provisions, expanded the scope of reasons why a foreigner may not be allowed to enter Belarus or may be deported from this country. Pursuant to the new provisions, authorities can refuse the right of entry to people who during a previous stay in Belarus were detained for legal or

administrative reasons at least twice. Also, more restrictive provisions concerning the principles of residence of foreigners, their registration and transit through Belarus were introduced. It seems that the Belarusian authorities will not be satisfied with these changes. In May 2006, the Parliament at its first reading passed further amendments imposing criminal liability on foreigners, who were previously deported and wish to enter Belarus before the term of their ban expires. Also, foreigners who have repeatedly infringed the principles of residence in the country will be subject to penal sanctions. Furthermore, a bill has been introduced allowing for the dissolution of fictitious marriages concluded by foreigners with Belarusian citizens in order to obtain the right of residence.

3.2.2. Structures

At first, the organs responsible for labour and social policy were also responsible for the migration question. In the period 1992–1997, the State Migration Service operated within the State Committee for Labour and Social Care. In 1997, this service was transformed into a Migration Committee at the Ministry of Labour, whose competences were considerably expanded to include issues connected with labour migration, refugees and international cooperation. In September 2001, the Migration Committee was transformed into the Migration Department within the framework of the Ministry of Labour and Social Care (MLSC). The limitation of its independence was accompanied by a limitation of competences; for example, in 2002 the department was deprived of general control over the implementation of the national migration programme.

According to this trend, which could also be observed in Russia, the competences in migration issues have gradually been shifted towards the Ministry of Interior. In April 2002, this Ministry became the main institution coordinating the struggle against illegal migration. In addition, the competences of the Passport and Visa Service were expanded. The Department for Citizenship and Migration was established within the structure of the Ministry of Interior upon a presidential decree of 30 December 2003. The new department took over both the regional migration services as well as coordination over all state institutions in the area of control over migration processes and fighting illegal migration. The Migration Department at MLSC was closed down.

Apart from the general coordination of migration issues and the development of legal acts in this area, the scope of competences of the Department

of Citizenship and Migration covers all issues connected with citizenship, residence permits, the legal status of non-citizens, the granting of asylum and refugee status, the regulation of labour migration and combating illegal migration. Some prerogatives in the area of fighting illegal migration remain in the responsibility of the State Border Guard Committee. Moreover, there is an inter-agency Migration Commission operated by the Council of Ministers, which plays coordinative and legislative roles.

3.2.3. International cooperation

President Lukashenka's authoritarian method of wielding power limits Belarus room for manoeuvre on the international arena and dooms it to cooperation within the framework of the CIS, mainly with Russia. Due to its drastic cases of human rights violations, Belarus, which could potentially be one of the most important partners of the EU in the area of Justice and Home affairs (JHA), is receiving from the European Union very limited assistance. Programmes connected with sealing the borders have suffered relatively little from the worsening relations between the EU and Belarus, as cooperation in this area is advantageous to both parties. In addition, The EU's states are not interested in restricting the entrance of ordinary citizens on its territories; such sanctions have only been taken towards a limited group of the regime's officials.

Belarus is cooperating most extensively with Russia, with which it has formed a Union of Russia and Belarus since December 1999. The Russian/Belarus border remains open. Thanks to close cooperation with Russia, Belarus does not have a problem with transferring arrested illegal immigrants to Russia; it can also count on the exchange of information and logistical assistance. The Union of Russia and Belarus has a separate budget for financing projects concerning border issues, among other matters.

The equal relations within the framework of the 'common state' are more formal than real. In February 2003, Belarus undertook the responsibility to issue migration cards to foreigners that are analogous to the Russian ones, even though officially the agreement in this matter was only signed by both states' Ministers of Interior on 5 October 2004. Despite the existence of the Union of Russia and Belarus, Belarusian citizens for many years had not enjoyed identical rights in Russia as Russian citizens in Belarus, who could apply for a permanent stay on the basis of a simplified procedure, among other such privileges. In January 2006, the presidents of Belarus and Russia adopted

several significant agreements on the freedom to move and choose the place of residence, which allows Belarusian citizens to settle freely in Russia, and extended the period in which citizens of both countries can stay on each other's territory without registration from 3 to 30 days.

Belarus unambiguously supports the development and deepening of cooperation within the framework of the CIS. It is a member of all the forums established within the framework of this organisation, a signatory of most agreements and treaties, and a participant in all meetings and conferences. On one hand, the authorities in Minsk have opted to maintain different types of conveniences in the movement of people within the framework of the CIS, but on the other hand they criticise the visa policy for some CIS countries as being too liberal, which in their opinion results in illegal migrants entering the CIS region. It also seems that the certain uneasiness on the part of Belarusian authorities is caused by the inflow of foreigners from countries such as Ukraine or Georgia¹⁰⁰, which have experienced so-called 'colour revolutions'.

In response to the actions of the Belarusian authorities in the course of recent presidential elections, the European Union has imposed on this country sanctions in the form of bans on several senior Belarusian officials from entering its territory, including President Lukashenko. Previously, the Council of the European Union had restricted contacts with representatives of Belarusian authorities and re-allocated the aid programmes designated for Belarus to the development of a civil society. Belarus does not participate in the European Neighbourhood Policy either. All these reasons limit the cooperation between Belarus and the European Union in the area of migration. The EU only supports the expansion of the border infrastructure on the Belarusian/EU border, combating illegal migration and improvement of the refugee protection system. The Belarusian authorities attempt to bypass these restrictions and obtain greater aid and resources, referring to the problem of the threat to the EU from illegal transit migration, which (in their opinion) has so far been prevented by Belarus.

Belarus strives for cooperation with international organisations dealing with migration problems. In issues referring to border and migration problems,

¹⁰⁰ However on the contrary to Russia, Belarus failed to introduce the visa obligation with respect to Georgia citizens.

apart from the EU, the UNHCR and the International Organisation for Migration cooperate with Belarus. After several years of attempts, in November 2005 Belarus was accepted into the International Organisation for Migration. This organisation implements a programme for combating human trafficking in Belarus, among other matters, to which it will allocate US\$6 million by the end of 2009¹⁰¹. Belarus is also an active member of the Söderköping Process.

3.3. Conclusions

In contrast to the 1990s, the legal migration in Belarus is currently not too intensive, and it does not affect the economic and demographic situation of the country. Belarus has a positive migration balance, which however shows a decreasing trend. Most migration flows through Belarus are conducted within the framework of the CIS area. Labour emigration from Belarus is somewhat different; officially, sources estimate that it is at the level of several thousands a year. However, it seems that undocumented labour emigration may apply to at least several dozen thousands (or more) Belarusians. Russia, where Belarusians can freely travel to, and Poland, are the main destination countries.

Belarus poses a certain threat to the EU as a potential transit country for illegal migration. The Belarusian authorities emphasise the extensive streams of irregular migrants passing through their country and the organised nature of this transit. Irrespective of the size of the discussed phenomenon, which is difficult to estimate, it seems that the Belarusian authorities are in the habit of exaggerating the scale of illegal migration.

The system for managing migration policy is in the hands of the power structures. Security issues are the priority. Fragmentary integration programmes are mainly implemented by international and non-governmental organisations. This system is becoming increasingly subordinated to the problem of controlling society. In the past two years, the Belarusian authorities have adopted a series of provisions making it difficult for citizens to leave the country and for foreigners to enter Belarus. These instruments allow the authorities to control the flow of people with respect to their political activity.

¹⁰¹ See: Regnum, 17 August 2005.

The policy of the Belarusian authorities has resulted in significant restrictions to this state's ability to operate on the international arena. Minsk is currently destined mainly to develop its cooperation within the framework of the CIS. In the JHA area, Belarus is strongly dependent on Russian policy, which co-finance the Belarusian and EU borders protection programme. There is no border control within the framework of the Union of Russia and Belarus, and the citizens of both countries have recently become able to settle freely on the territory of the other party.

Relations between the EU and Belarus, which could be one of the most important partners in the east in the area of migration, are currently minimal. Belarus is taking advantage of the European Union programme to only a limited degree. The recent internal events in this country, including the undemocratic presidential elections and mass repression in relation to the opposition, do not allow for this situation to change.

4. MOLDOVA

Due to its economic and cultural conditions, Moldova participates mainly in migration exchanges with the CIS region (mainly with Russia) and with Southern Europe. Because of low standards of living, Moldova is not attractive to labour or transit migrants. On the other hand, one part of the Ukrainian smuggling route for migrants passes right through Moldova. This trend may accelerate due to the accession of Romania and Bulgaria to the European Union. The main feature of Moldova's migration situation is the mass labour emigration of its citizens, to the extent of around 600,000 people.

One of the main internal problems, which Moldova must confront, is the separatist movement in Transnistria. The existence of this quasi-state, which borders on Ukraine, prevents Moldova from fully controlling the migration flows passing through its territory. An important step towards regulating this problem was deployment of a European Union mission on the Ukrainian/Moldovan border (including the border line separating Ukraine from Transnistria) at the end of 2005, which supports the control over this section of the border, as well as the earlier takeover of control of the border with Transnistria by the Moldovan authorities.

4.1. Migration movements

Since the beginning of its independence, Moldova has experienced an outflow of its population abroad. In the first years after the collapse of the USSR, Moldovan emigrants mainly left to Russia. Over time, Turkey, the South European countries, and more recently Germany, the United Kingdom, and Ireland have become increasingly popular. In the first part of the 1990s, ethnically motivated migration was dominant. In subsequent years, alongside the socio-economic breakdown in the state, labour migration started to dominate. After the worst moment of the crisis in 1999, the Moldovan economy started to develop rather dynamically, but despite that, the number of people leaving abroad to work has continued to grow.

Moldova is not popular among immigrants. The annual immigration quotas allocated by the Moldovan government, on the principle that the number of immigrants arriving every year may not exceed 0.05% of the country's total population, fulfils the needs of those foreigners who want to settle. In total, according to the official statistics, 18,905 citizens of foreign countries emigrated to Moldova in the period 1992–2004, 7784 of whom did so within the definition of reunification of families, 8078 for educational purposes and 3043 for labour purposes¹⁰². According to the results of the 2004 national census, 77,000 migrants from Ukraine, 76,000 from Russia, nearly 7,000 from Kazakhstan, nearly 4,000 from Belarus, 2,000 from Russia and over 12,000 emigrants from other countries came to Moldova until 2004¹⁰³.

The armed conflict in Transnistria and the political chaos connected therewith, together with the serious socio-economic crisis, has led to difficulties with efficient registration of migration flows in Moldova. For this reason Moldovan statistics on migration, particularly from the 1990s, are rather poor.

4.1.1. Ethnic migration

Of the states along the route of ethnic migrations connected with the collapse of the USSR, Moldova was not considered attractive. Other factors also

¹⁰² Data provided by the National Migration Office of the Republic of Moldova.

¹⁰³ Population of this part of Moldova, which is controlled by authorities in Chisinau, amounts to 3.4 million (statistics of the Moldovan national census), while Transnistria is inhabited by over 500,000 people.

contributed to that state of affairs, included the low standard of living, poorly developed industry and education and the threat of internal conflicts. Estimates show that around 252,000 people left from Moldova to other republics of the former USSR in the period 1990–1998, and around 195,400 people came from this area¹⁰⁴. Also, a considerable part of the large Jewish diaspora emigrated from Moldova. Due to ethnic and language connections, many Moldovans left for good to Romania, or received Romanian citizenship, while at the same time keeping their Moldovan citizenship¹⁰⁵.

The National Migration Office has exact data only on people, who came to Moldova as repatriates or impatriates. People who wished to leave for good, were obliged to inform the appropriate offices in Moldova. However, this requirement is not always fulfilled. Repatriation is decreasing (from 8,005 people in 1994 to 1,816 people in 2004), as can be observed on all the CIS' territory. The vast majority of repatriates have come from Russia and Ukraine. In the period 1994–2002, almost 90% of repatriates came from these countries (out of the total number of 41,659 persons, 21,262 came from Russia and 15,730 from Ukraine). In the same period, people who declared Moldovan nationality predominated among those repatriates, numbering 22,039 people. There were 7,777 Ukrainians, 7,188 Russians, and 4,658 people of other nationalities.

It seems that repatriation has influenced the decrease of ethnic Moldovans in Ukraine, where according to the census of 2001 258,600 had been living (79.7%, in comparison with 1989)¹⁰⁶. In Russia, the number of Moldovans has remained at a stable level: 173,000 in 1989 and 172,000 in 2002. People coming to Moldova as repatriates automatically receive a permanent residence card, and can count on more convenience in obtaining citizenship. However, the state is unable to provide financial assistance to them, which makes the decision to come back to Moldova definitely more difficult.

¹⁰⁴ Institute of Public Policy, *Migration Policies in the Republic of Moldova*, Chisinau 2004, page 21.

¹⁰⁵ The number of Moldovan citizens with Romanian passport amounted at least to 500,000 people.

¹⁰⁶ This phenomenon can also explain the change of national self-identification of people who considered themselves Moldovan into Romanians.

4.1.2. Labour migration

Low living standards (Moldova is among the poorest countries in Europe) and unemployment force the Moldovan people to labour emigration en masse. There are no precise statistics on the number of Moldovans working abroad, which is mainly connected with the illegal nature of the employment they undertake. Moreover, many Moldovans have dual citizenship, Moldovan and Romanian, and they use the latter when entering other countries. The Moldovan media estimate this figure at between 600,000 and 1 million people. The authors of the UN report on the migration issues in Moldova also quote the figure of 600,000 people¹⁰⁷. According to data from the Moldovan Department of Statistics and Sociology (which does not include Transnistria), there were around 294,000 people employed both legally and illegally outside the country in 2003 (Table 23). The legally employed people constituted a small percentage of this number, as only 6,678 people had obtained permit to work outside the country (mainly in Israel) in the period 1993–2003¹⁰⁸. The national census from October 2004 shows that 273,000 people were temporarily resident outside the borders of the country (excluding Transnistria).

Table 23. Number of Moldovan citizens working outside their country

Year	2000	2001	2002	2003
Number of persons	138,000	149,000	234,000	294,000

Source: Department of Statistics and Sociology of Moldova

Russia is the most popular country for Moldovan guest workers. This is caused by many factors, such as tradition (Moldovans used to come and work here during the Soviet period), the lack of visas and any language barrier, and the absorbency of the Russian labour market. According to some estimates, only in the Moscow region there are over 200,000 Moldovans¹⁰⁹. However, it seems that this number is only appropriate in the context of the entire Russian Federation¹¹⁰. People who have little chance to succeed directly in the West,

¹⁰⁷ Migration Management Moldova, Assessment 2003, page 4.

¹⁰⁸ Yearbook statistics regarding migration fluxes in the Republic of Moldova, Year 2004; These statistics do not refer to the CIS area. There were 7,853 Moldovan citizens working in Russia on the basis of inter-state agreements in 2001.

¹⁰⁹ New Borders In South Eastern Europe. The Republic of Moldova, Ukraine, Romania, 2002, page 118.

¹¹⁰ According to estimated of V. Mukomel, currently 154,000 labour migrants from Moldova reside in the Russian Federation; demoscope.ru/weekly/2005/0207/tema04.php

and who are poorer and worse prepared from the professional perspective (mainly coming from rural areas), come to Russia. Many of them treat work in Russia as an intermediate stage before trying to get into the EU.

Apart from Russia, the South European countries are among the most popular destinations for Moldovan emigrants: Italy (where around 19% of all migrants work), Spain and Portugal, as well as Israel, Greece and Turkey. The latter is most popular among the Gagauz, a minority population of Moldova, closely related to the Turks.

The scale of labour migration is one of the most important indicators of the socio-economic situation of Moldova. Experts believe that every Moldovan guest worker is able to transfer at least US \$1000 per year back to the country. Considering the scale of the phenomenon, this adds up to a level comparable with 30% of the gross domestic product. According to data provided by the International Monetary Fund, in 2004 Moldovan citizens working abroad transferred around US\$ 700 million to the country. Labour emigration is also connected with many negative aspects, starting from the workforce drain from the Moldovan labour market (between 30 and 40% of professionally active Moldovans could be working outside the state borders), through the development of organised crime, all the way to the intensification of negative demographic phenomena.

4.1.3. Moldova as a route for illegal migration

The geographic location of Moldova means it cannot be considered as a convenient place on the illegal migration route from Asia to the European Union. The Ukrainian borders, which directly adjoin the European Union, are easier to penetrate. The situation in this respect may deteriorate as Rumania, which borders Moldavia, has entered the UE. Moreover, another factor increasing the risk of illegal migration is the Moldovan government's lack of control over part of its territory. Local experts believe that one of trafficking routes from the Ukraine goes through Transnistria, Moldova and then through Romania.

According to data provided by the Security and Information Service of the Republic of Moldova, in the period 1992–2002 over 15,000 people were arrested and deported from this country on charges of attempting to cross to the West through the Romanian border¹¹¹. However, definitely fewer people were

¹¹¹ New Borders In South Eastern Europe. The Republic of Moldova, Ukraine, Romania, 2002, page 118.

arrested for direct attempt to cross the Romanian border. In 1997 there were around 200 of such cases, in 1998 around 250 cases, and in 1999 around 290 cases. In 2001, when the officers of the Moldovan Border Guard took control over the section of the border with Ukraine, the number of persons arrested increased to 578¹¹².

Tighter control of Moldova's borders has resulted in an increase in the professionalism of the groups smuggling illegal immigrants. This process became particularly apparent as of 2001. In 2004, two immigrant transfer channels through Moldovan territory used by India's citizens were broken up. According to local experts, this contributed to a considerable decrease in the intensity of attempts to transfer illegal immigrants through Moldova.

Human trafficking, especially of young women, who are forced into prostitution by organised crime groups, is a separate problem connected with illegal labour migration. The scale of this phenomenon is difficult to estimate. In the period from 2000 to May 2005, the International Organisation for Migration helped 1,581 victims of trafficking, although (as experts admit) this is only the tip of the iceberg¹¹³. Women from Moldova were particularly frequently transferred to the territory of the former Yugoslavia; around 70% of the victims 'worked' in Macedonia, Bosnia & Herzegovina and Kosovo, where in brothels they provided service to UN soldiers, among others. Currently, the geography of this proceeding is changing; female citizens of Moldova are now more frequently smuggled into Turkey and Russia.

4.1.4. Refugees and internally displaced persons

Moldova was already coping with a refugee problem at the beginning of the 1990s. This concerned refugees from armed conflict in the Transnistria (around 51,000 internal refugees, and over 80,000 external ones, who mainly fled to Ukraine)¹¹⁴, victims of conflicts in the others areas of the former USSR (Armenia, Georgia) as well as outside its borders (Afghanistan). Most internally displaced persons on Moldovan territory returned to their permanent places of residence. However, according to the Moldovan authorities, there are still around 25,000 internally displaced persons in the country, victims of

¹¹² Therein, page 124.

¹¹³ IOM Chisinau Counter-trafficking Unit.

¹¹⁴ Data provided by UNHCR.

the Transnistrian conflict¹¹⁵. The IOM does not include this group of people in its statistics.

In the 1990s, the UNHCR was responsible for the refugee procedure in Moldova; this function was taken over by the Moldovan authorities in 2002–2003. The number of refugees or people with a similar status staying in the territory of Moldova is relatively low. According to data provided by the High Commissioner for Refugees, since the beginning of the UNHCR office's operation in Chisinau (1997), 688 cases (951 people) were registered by 1 January 2003, of which refugee status was granted in 123 cases (266 persons). According to data as of the end of 2004 175 people with refugee status were found on Moldovan territory. Chechens constituted the largest single national group among them (32 people). Previously, the UNHCR had granted them refugee status, but now the Moldovan authorities restrict to granting Chechens humanitarian status¹¹⁶. Syrians, Palestinians, Sudanese and Armenians are among other, more numerous national groups. Meanwhile, according to the statistics presented by the UNHCR, by the end of 2005, in Moldova there were 84 refugees who received refugee status according to the Geneva Convention, and 148 people who were in the middle of the refugee procedure¹¹⁷.

For many reasons, Moldova is unattractive to potential refugees, even though it cannot be ruled out that the EU's expansion to Romania and Bulgaria could influence the number of asylum seekers in Moldova, who will aim to enter the European Union area.

4.2. Migration policy

Moldova has fairly developed governmental structures for dealing with migration issues, as well as certain state documents on these issues. This quality change, which took place in this matter a couple of years ago, was undoubtedly caused by the less ambiguous orientation of Moldovan foreign policy towards the EU, as well as the increasing significance of labour migration. The effectiveness and professionalism of the responsible Moldovan offices may

¹¹⁵ Status as per 2004.

¹¹⁶ In February 2004 16 Chechens, who were denied the refugee status, announced the hunger protest.

¹¹⁷ UNHCR 2005 Global Refugee Trends.

be questioned; however, this is a rather common incapacity of state structures throughout the area of the former USSR. Many delays and negligence also result from insufficient funding. The main weakness of Moldovan policy is the lack of any effective system for registering migration flows.

4.2.1. Evolution

Moldova started to develop the legal and organisational bases for independent policy in the area of migration quite early. On 19 December 1990, the Law on Migration was passed, in accordance with which the Migration Department was established within the framework of the Ministry of Labour and Social Care (MLSC). In the following years, Moldova adopted some basic legal acts regulating the sphere of migration, including the Law on Citizenship (1991), on Entrance and Exit (1994) and on the Legal status of Foreigners and Stateless Persons (1994).

The increasing labour migration of the population forced the Moldovan authorities to develop a comprehensive migration management system. In 2001, the State Migration Service was established (which has expanded its competences and changed its name twice since then; it currently operates as the National Migration Office). In the same year, the National Committee for the Fight against Human Trafficking was established. In 2002, the Moldovan government ratified the Geneva Convention and initiated the development of the refugee protection system (by appointing a unit responsible for refugee procedures, and constructing the first centre for refugees). Two main documents in the area of migration were developed in the same year: in November a concept of migration policy, and in December the new Law on Migration.

The migration policy concept defined the principles, tasks and priorities of the state migration policy. The following were considered as the basic tasks of this policy: adapting law in the field of migration to global standards; developing cooperation with international organisations; improving the coordination and efficiency of migration policy implementation, developing a new governmental centre coordinating that policy; signing agreements with states where citizens of the Republic of Moldova work, so that their rights are respected and they receive better conditions; developing setting for reintegrating immigrants and repatriates; and developing a database registering migration movements.

Part of the priorities outlined in the concept have been implemented. The Migration Department, a new organ which was responsible for implementing state policy in the area of migration, was established in August 2003. Legal bases for a national system of asylum and refugee were developed. Actions aiming at legalising the status of Moldovan labour migrants were taken, and a system for monitoring companies sending people to work abroad was established as well. Also, efforts to combat illegal migration and the trafficking in women were initiated; in November 2001, the National Committee for the Fight against Human Trafficking was established. Most problems are caused by implementing these tasks, which are connected with extensive financial outlays, such as developing efficient database of migration flows. Furthermore, a system for the efficient detention and identification of illegal migrants is lacking, which makes it difficult and sometimes even impossible to deport them.

4.2.2. Structures

The National Migration Office (NMO), which was established in mid-2005 by renaming the Migration Department, is the main organ responsible for migration and asylum. The following are among the office's main tasks:

- ensuring the state implements a consistent migration policy;
- harmonising national legislation in the area of migration with international legislation;
- developing databases on all categories of immigrants;
- preparing governmental documents on migration issues;
- forecasting and managing migration streams;
- supervising the system for registration of the entry and exit of foreigners, with the participation of the competent organs.

The Moldovan National Migration Office deals with all migration issues, while the other state offices concentrate on selected issues, particularly these referring to security. In this context, the Information and Security Service, the Border Service and the Ministry of Interior can be listed.

The Illegal Migration Department operates as part of the Ministry of Interior. It deals with crimes and administrative offences committed by foreigners and on foreigners, monitors the legality of their residence in Moldova and organises deportations.

The Ministry of Information Development (MID) plays a specific role in Moldova's migration policy; since 2001, as an independent office, the MID has

issued documents essential for legalising foreigners' residence, and also conducts the central register of population.

4.2.3. International cooperation

Moldova actively participates in international undertakings concerning migration issues, which is conditioned by its status of a country which sends migrants and is dependent on remittances from its citizens who work abroad, as well as its efforts to obtain external support in developing a migration management system. As in the case of other states in the area discussed, the two main directions of Chisinau's external activities are Russia and the CIS area, and the EU and its member states.

Moldovan policy towards Russia has an ambivalent nature; on one hand Chisinau aims to maintain proper relations with Russia, which allow guest workers to work freely in Russia, and on the other hand to abolish the *de facto* independence of Transnistria as soon as possible, which contradicts Russian plans for this territory. The issue of labour migrants constitutes an important potential pressure instrument on Moldova; in February 2005, prior to breakthrough parliamentary elections in Moldova, the Russian Duma threatened to impose a visa obligation upon its citizens. In 1993, Moldova concluded an agreement with Russia on labour migration; however, its workers usually work in Russia illegally. Moldova has concluded similar agreements with Ukraine and Belarus. In addition, Chisinau is a signatory of the most important CIS' agreements on cooperation in border and migration issues.

Together with the reorientation of Moldova's foreign policy and increasing the role of the EU member states in the process of the Moldovan workforce's emigration, the importance of the European direction has considerably increased in Moldovan migration policy. Within the framework of the ENP, on 22 February 2005 Moldova and the European Union signed an Action Plan which included migration issues. The EU committed itself to provide Moldova with consultancy and financial aid in order to develop a more effective migration management system. Meanwhile, Chisinau declared that its priorities will include the development of an electronic database to monitor migration flows from and to Moldova, the adoption of a National Action Plan in the area of migration and asylum, and adaptation of its legislation to the international standards. Moldova is participating in the EU assistance programmes in the areas of migration and border protection. Since December 2005, a special European Union mission has been operating on the Moldo-

van/Ukrainian border, the European Union Border Assistance Mission to Moldova and Ukraine (EUBAM), which trains and consults with local border and customs services. In July 2006, a decision to expand the scope of the mission was made. A decision was taken to draw more attention to the internal border between Moldova and Transnistria. In addition, the liberalisation of a visa regime is one of Moldova's strategic objective in its relations with the EU.

As in the case of Ukraine, Moldova aims to conclude agreements on labour migration with those states where its citizens work. Such an agreement has been concluded with Italy; agreements with Portugal, Spain, Greece, and the Benelux countries are ready to be signed¹¹⁸. In order to expand the circle of states ready to conclude such agreements, Moldova is most eager to conclude these readmission agreements although it usually agrees only to receive its own citizens.

Chisinau has been cooperating quite actively in the field of migration and borders with international organisations such as the IOM, the ILO and the UNHCR, which have agencies in this country. Moldova participates in the work of the group on combating human trafficking which operates within the framework of the Stability Pact for South-Eastern Europe. It is also a member of the Söderköping and Budapest Processes, and is a signatory of the most important international conventions regulating the area of migration and asylum.

4.3. Conclusions

Since the collapse of the USSR, Moldova has had a negative migration balance. It is the country of origin for numerous labour emigrants and victims of human trafficking; however, it is out of the way of the main migration movement in the CIS area. This situation may change upon the scheduled expansion of the EU to include Romania and Bulgaria. The poor protection of the state border and the lack of control over the Transnistrian section of the border with Ukraine will also act in favour of the situation.

The scale of labour migration is among Moldova's main socio-economic problems. According to estimates, 600,000 Moldovans work abroad, usually illegally, which constitutes a considerable percentage of this rather small country's

¹¹⁸ Information provided by ICMPD.

professionally active population. There is no indication that this trend will change in the immediate future. Russia is the main destination country for Moldovan guest workers, and in the EU these are Italy, Portugal and Greece. The Moldovan authorities aim to control the labour migration phenomenon by signing international agreements that legalise the residence and employment of their citizens abroad and allowing to send employees to predefined, legal work places, among other measures. The correct use of the considerable financial remittances sent by emigrants to their families who remain in Moldova is also a strategic challenge, so that these funds are not used for consumption only, but are also employed for the investment and the development of entrepreneurship.

In Moldova, both fairly developed governmental structures to deal with migration issues and basic draft documents on these issues exist. However, efficient implementation mechanisms are missing, in the areas of registering migration flows and fighting illegal migration, among others. Many cases of negligence and delays in the sphere of migration result from insufficient finances, the low effectiveness of the bureaucracy and coordination difficulties.

The opportunity to order the migration management system and improve border control has been created though Moldova's cooperation with the European Union. At the end of 2005, the EU had initiated mission supporting the control of the Moldovan/Ukrainian border. The proposal to provide Moldova with assistance in improving its migration management system is contained in the EU–Moldova Action Plan implemented within the framework of the European Neighbourhood Policy. The government in Chisinau is also applying for the liberalisation of the visa regime in the movement of people with the EU. Relations with Russia also remain a key issue for Moldova. This is the most important labour market for Moldovan emigrants, and its influence on the situation in Transnistria is hard to overestimate. Chisinau's willingness to provide its migrants with free access to the labour market in Russia and other CIS countries determines its participation in the agreements concerning migration, which have been adopted within the framework of the Commonwealth of Independent States.

5. AZERBAIJAN

The Southern Caucasian states are those members of the CIS where migration and exile have left the greatest imprints. Armed conflicts, ethnic persecutions, and sudden deteriorations of the socio-economic situation have all resulted in mass exodus of this region's population from their homelands. In addition, migrations have become the basic factor in the process of establishing the independent Caucasian states, which have been formed on the basis of ethnic criteria.

The migration situation of Azerbaijan, which is the largest and most densely populated state in the region, is slightly better than in neighbouring Georgia and Armenia, where emigration has led to very serious and irreversible demographic effects. Yet another characteristic of Azerbaijan results from its strategic geographic location. Important routes for the transit of illegal migrants from the Middle East and South Asia pass through this country. Moreover, the problem of refugees and internally displaced persons has a different shape than that in other states of the region. Among Caucasian states Azerbaijan has accepted the biggest number of the victims of ethnic conflicts.

5.1. Migration movements

Azerbaijan shows a considerable domination of emigration flows over immigration, as well as great migration dynamics. The most intensive population movements took place in the beginning of the 1990s as a result of the Karabakh conflict. In later years, this dynamics gradually decreased. According to the official statistics, in 1990, 137,000 people left Azerbaijan and 84,000 people arrived, whereas in 2004, only 2,800 people left the country, whereas 2,400 arrived (Table 24). It is difficult to estimate the actual scope of the migration flows passing through Azerbaijan, as due to the predominantly irregular nature of these streams, many of them have not been included in the migration statistics. A definite majority of the migration exchange of Azerbaijan takes place between the CIS states, mainly Russia (the Russian 2002 census shows that since 1989, the number of Azeri people in Russia increased two-fold), and to a lesser extent Ukraine, Belarus and Kazakhstan. The remaining countries to which the inhabitants of Azerbaijan leave are Turkey, Israel, the US, and Western European states.

Azerbaijan's current migration balance, while it remains negative, is still much smaller than the one recorded at the beginning of the 1990s. Economic development based on the exploitation of raw energy materials leads Azerbaijan to record a small labour immigration, mainly in the oil sector. According to data provided by the Ministry of Labour and Social Protection of the Population, around 42,000 people, mainly from Russia, Georgia and Ukraine, immigrated to Azerbaijan in the period 1995–2004.

Table 24. Migration balance in Azerbaijan in the period 1990–2004 (in thousands of persons)

Year	Immigrants	Emigrants	Migration balance
1990	84.3	137.9	-53.6
1991	66.3	106.4	-40.1
1992	35.7	49.9	-14.2
1993	16.3	28.5	-12.2
1994	8.6	19.6	-11.0
1995	6.2	16.0	-9.8
1996	5.8	13.2	-7.4
1997	7.5	15.7	-8.2
1998	5.4	10.5	-5.1
1999	4.8	9.1	-4.3
2000	4.4	9.9	-5.5
2001	2.6	7.3	-4.7
2002	1.2	4.3	-3.1
2003	2.5	3.8	-1.3
2004	2.4	2.8	-0.4
Total	254.0	434.9	-180.9

Source: the State Statistical Committee of Azerbaijan¹¹⁹

5.1.1. Ethnic migration

The mass ethnic migration which took place in Azerbaijan in the first years after it became independent had two underlining causes: the outbreak of the armed conflict in Nagorno-Karabakh and ethnic cleansing and persecutions connected therewith; the collapse of the USSR, which resulted in mass displacements of population. In the former case of population fleeing from areas subject to war or pogrom, this was a forced migration, and in the latter, of

¹¹⁹ Calculated on the basis of data provided by the Visa and Registration Divisions (OVIR's).

a population going to the newly established homelands, the movement was more in the nature of a repatriation or impatriation. Irrespective of how voluntary the given migration movements may have been, the first wave which went through Azerbaijan was undeniably ethnically conditioned.

Ethnic migration in Azerbaijan took two principal forms. Armenians were leaving Azerbaijan en masse, together with a smaller number of representatives of Slavic nationalities. Nearly the entire Armenian population (numbering around 270,000 according to Azerbaijani data) left¹²⁰. Meanwhile, ethnic Azerbaijanis came from Armenia, Nagorno-Karabakh which had been occupied by Armenia, as well as from ethnically Azeri areas which were moved to Armenians. Also, refugees from Uzbekistan, Meskhetian Turks and Kurds, were among the immigrants. Some refugees then emigrated to third countries, mainly to Russia.

The first refugees started to come from Armenia onto the territory of Soviet Azerbaijan as early as 1987. The emigration to Azerbaijan reached its peak in the period 1990–1991. According to data from the State Statistical Committee of Azerbaijan, 205,000 refugees from Armenia and 29,000 from Uzbekistan were registered in 1990¹²¹. In the period 1993–1994, internal migration was predominant; the Azeri population left the territories around the Nagorno-Karabakh occupied by Armenian separatists en masse. By the end of 1993, there were 779,000 internally displaced people registered in Azerbaijan who had fled from Nagorno-Karabakh. This number does not seem too reliable; it may have been overestimated, as the refugees often registered themselves in several places.

Russians were a specific group of repatriates who left Azerbaijan in the wave of the ethnically motivated migrations; according to statistics from national censuses from 1989 and 1999, the number of Russians in Azerbaijan decreased in this period by around 64%¹²². To a lesser extent, representatives of other Slavic nationalities showed the same trend. As in the case of other CIS coun-

¹²⁰ According to Armenian statistics approximately 330,000 Armenians left Azerbaijan in the years 1988–1993.

¹²¹ Smaller number of these refugees stayed in Azerbaijan permanently. Some of them decided to emigrate further; See A. Junusow, 'Ethnodemographic processes in the South Caucasus in post-soviet period' (Etnodemographitsheskie protsessy na Yuzhnom Kavkazie v postsovietsky period), *Kavkazskiy Sbornik* 2005, V. 2, page 260.

¹²² By 250,600 people.

tries, nearly the entire Jewish population left Azerbaijan. Meanwhile, the number of Turks, and to some extent that of Georgians and Kurds, increased.

Migration flows of an ethnic nature have in principle already been exhausted. An exception to this rule may possibly be the immigration of the ethnic Azeri population of Northern Iran (an Azeri minority of around 20 million inhabits this area) if there is any further deterioration of the security situation in Iran. According to official sources, in comparison with the previous years, the number of Iranian citizens visiting Azerbaijan considerably increased in 2005. The media also report mass purchases of real estate by newcomers from Iran, although this is denied by the authorities in Azerbaijan¹²³.

5.1.2. Labour migration

Local experts estimate that between 1 and 1.5 million people (out of 8.4 million inhabitants in total) have left Azerbaijan to work. However, one expert, A. Yunusov, believes that there may be 2 million Azerbaijani citizens working in Russia alone, most of them illegally¹²⁴. Meanwhile, according to the estimates of a Russian researcher, V. Mukomel, there are around 1 million Azerbaijani migrants working in Russia¹²⁵. The statistics given by official sources are much lower. In 1999, the Azerbaijani authorities referred to estimates which showed that around 800,000 emigrants from Azerbaijan had left to Russia for work. According to statistics of the Ministry of Labour and Social Protection of Population, 90,836 Azerbaijani people officially emigrated from Azerbaijan in the period 1995–2004, of which 84,423 had gone to the CIS states (including 70,500 to Russia). It seems that these figures fail to illustrate the actual migration flows; they only refer to people who reported their departure from their place of residence, while most emigrants still maintain their apartments in Azerbaijan and have immediate family there.

In the first years after the collapse of the USSR, emigrants from Azerbaijan mainly left for Russia or for other post-Soviet countries. In the second half of the 1990s, Turkey, Iran and the United Arab Emirates become more popular destinations, as did Western European countries. However, Russia remains the primary destination. Inhabitants of Nakhichevan usually leave for Turkey.

¹²³ Day.az, 17 May 2006.

¹²⁴ A. Yunusov, 'Ethnodemographic...', *op. cit.*, page 264.

¹²⁵ Vladimir Mukomel, 'How many illegal immigrants are in Russia?' (*Skolko v Rossiji nezakonnyh migrantov?*), Demoscop Weekly, 20 July – 14 August 2005.

5.1.3. Azerbaijan as a route for illegal migration

The number of illegal immigrants in Azerbaijan is difficult to estimate; some local estimates mention as many as 70,000 to 100,000 people. Illegal immigrants in Azerbaijan are often transit migrants, who are trying to get through to Europe. Azerbaijan has a key position among the Southern Caucasus states on the route of illegal migration from Asia to Europe, which results from its central geographic location, its porous border with Iran, and its cultural proximity to immigrants from the Middle East, among other factors. The threat of illegal migration in Azerbaijan increased after 11 September 2001, and after the start of Afghani and Iraqi military campaigns. The possible outbreak of a political crisis in Iran could result in another wave of immigrants.

Illegal transit migrants using the Azerbaijani route come from the Middle East, Southern Asia and to a lesser extent from African countries. These persons are trying to cross Azerbaijan's border illegally, or they use forged documents on country's border crossings, sometimes crossing the Iranian and Azerbaijani border legally and then using forged documents try to leave for the West. According to the State Border Service of Azerbaijan, the following illegal migration routes are most popular: Iraq (Suleymaniya)–Tehran–Astara–Baku–Europe; Afghanistan–Iran–Astara–Baku–Europe; Afghanistan–Pakistan–Iran–Bilasuvar–Baku–Europe; Iran–Baku–Urumchi–Tokyo–Europe. Some immigrants also travel by sea¹²⁶.

According to experts, most illegal immigrants use intermediaries connected with international crime groups, with their headquarters in Iran, Iraq, Russia and Western European countries. This procedure is favoured by widespread corruption in Azerbaijan.

As reported by the border service of Azerbaijan, in 2005, 2,781 people were arrested for having violated the border crossing regulations, including 199 Georgian citizens, 81 Iranians, 63 Russians, 30 Turks, 26 Uzbeks and 25 Pakistanis. 153 of them had tried to cross the border on the basis of forged documents, and 42 people had been using someone else's documents. Furthermore, 14 crime groups, smuggling and transferring transit migrants, were liquidated¹²⁷.

¹²⁶ www.mfa.gov.az/eng/foreign_policy/inter_affairs/fightmigr.html

¹²⁷ See: trend.az, 27 February 2006.

Azerbaijan is also the country of origin and transit for women trafficked from the CIS countries into Turkey and the United Arab Emirates.

5.1.4. Refugees and internally displaced persons

According to official state data, the number of fugitives living presently in Azerbaijan, who came to this country after the outbreak of ethnic persecution in the early 1990s, amounts to around 1 million persons¹²⁸. In accordance with the UNDP data of 2002, quoted by many experts, there were 789,000 internally displaced persons and refugees recorded on the territory of Azerbaijan. The majority of the refugees from Armenia were granted Azerbaijani citizenship, therefore, this is not included in the statistics of the United Nations High Commissioner for Refugees. However, it should be assumed that some of the overmentioned persons have emigrated abroad. According to the UNHCR statistics, the number of internally displaced persons living at present on Azerbaijan's territory amounts to around 578,000¹²⁹.

The Chechens are the other category of refugees looking for protection in Azerbaijan. The UNHCR estimates that the influx of Chechen refugees into Azerbaijan amounts to around 8,000; around 3,000 of them have been registered directly in the UNHCR office. However, according to some estimates, the number of Chechens may be as high as 19,000. The authorities of Azerbaijan are reluctant to grant the Chechens a refugee status on the basis of the Geneva Convention; they are usually granted the status of a temporarily protected person, which is provided to them on the basis of an extended definition of a refugee. Azerbaijan is also a place of residence for refugees from Middle Eastern and South Asian countries, including Afghanistan, Iran and Iraq. According to data from the State Committee for Refugees and Internally Displaced Persons, there were around 11,000 foreigners in Azerbaijan in mid-2005 who had applied for refugee status.

¹²⁸ Including 250,000 refugees from Armenia, 660,000 fugitives from so-called occupied lands, 100,000 refugees from the border areas between Azerbaijan and Armenia and the front line; data of the State Committee for Refugees and Internally Displaced Persons.

¹²⁹ Status as for the end of 2005; data from UNHCR 2005 Global Refugee Trends.

5.2. Migration policy

Migration management system in Azerbaijan is still in its development phase. Until recently, the authorities responsible for migration policy have limited their activity to the issues related to refugees and internally displaced persons. Labour migration existed outside the awareness of the state. Azerbaijan's first concept of migration policy in its independent history was adopted in July 2004. The Azerbaijani migration management system is considered as relatively stable.

5.2.1. Evolution

Similarly to the other states established after the collapse of the USSR, Azerbaijan had no former experience in the area of migration policy. The issues of migration flows management or attitude towards immigrants took the attention of the state authorities only a few years ago.

The main influence on the shape of the migration policy of Azerbaijan had the Karabakh conflict. A mass influx of refugees from Armenia and Nagorno-Karabakh forced the country to establish legislation and mechanisms for protecting refugees and IDPs. Azerbaijan joined the Geneva Convention on the status of refugees in February 1993. It also adopted relevant legal acts on forced migrants and established a State Committee for Refugees and Internally Displaced Persons in a relatively quick manner. However, actions aiming at improving the refugee situation must be considered as insufficient, on one hand because of the country's financial limitations in view of the large immigration wave¹³⁰, and using the refugees issue as an campaign's element for regaining its lost territories on the other. This forces the displaced persons to vegetate in temporary places of residence and they still lack many rights.

The subsequent development phase of the Azerbaijan's migration policy, which was conducted in the mid-1990s, was the adoption of basic migration legislation. It seemed that this legislation mostly reflected the authorities' concerns in the influx of unwanted immigrants and the willingness to maintain the former Soviet control methods over migration flows. This was mostly of a bureaucratic/administrative nature and related to such issues as principles

¹³⁰ Which, however, is undoubtedly getting better, in connection to inflow of financial measures from oil sales.

of entry, exit and residence. An influx of specialists working in the oil sector made it necessary to adopt an Immigration Law.

Only in the late 1990s, after the mass departures of economically motivated migrants, Azerbaijan began its actions to regulate the rights of its citizens working abroad. In 1999, it joined the UN Convention on Protecting the Rights of all Migrant Workers and the Members of Their Families. It also adopted a Law on Labour Migration.

However, due to the weakness of the state authorities and the lack of relevant international agreements, labour emigrants from Azerbaijan cannot not count on an efficient support from their state in the event of violating their rights by the reception country.

Only two years ago, in support of the International Organisation for Migration, Azerbaijan decided to prepare a comprehensive migration policy. On 14 July 2004, the Council of Ministers approved a concept of state migration policy. This document identified the following priorities for policy development in the migration area:

- Introducing an effective control system over migration flows, combating and counteracting illegal migration;
- increasing state aid for forced immigrants in such areas as accommodation, access to social services and the labour market;
- granting privileges to the qualified workforce in the influx of labour immigrants;
- integrating Azerbaijan with global markets and labour migration management,
- decreasing the unemployment level and promoting employment of Azerbaijan's own workforce on its internal market.

In order to implement this concept, it was decided to adjust legislation and devise detailed action plans in the field of migration, and to conclude relevant international agreements on readmission and protecting the rights of Azerbaijani citizens employed abroad, among other measures. Labour market protection and limiting the illegal employment of foreigners were also considered important.

In July 2006, the president adopted a decree approving the State Migration Program for the period 2006–2008.

In practice, applying the approved legislation looks worse than the legislation as such. Corruption among officials and the lack of an effective system to control migration flows have resulted in the creation of an extensive migration 'grey zone' in Azerbaijan. Moreover, the system of legal employment of foreigners currently in force, which is regulated on the basis of obligatory licenses obtained by the employers, is inflexible and vulnerable to abuses. On the other hand, the Azerbaijani system of migration management is considered to be highly stable, which results from the early establishment of institutions responsible for migration issues and development of bases of a system for recording migration flows. Azerbaijan is the only state in the region which has the National Automatic Passport System (NAPS), which is also a database on external migration flows.

5.2.2. Structures

There is no single structure responsible for migration issues in Azerbaijan. A large number of institutions dedicated to them reflect the general bureaucracy and centralisation which are prevalent in the country. An important role is played by the administrative support of the Council of Ministers. Since 1998, the Special Governmental Commission for Migration Management has operated as part of the Council of Ministers. It is responsible for preparing legislative and executive acts related to migration issues.

The population registration system, fighting illegal migration, issuing settlement permits for foreigners and monitoring foreigners' observance of residence principles on Azerbaijan's territory are managed by the migration services of the Ministry of Interior. This service is also in charge of the centres for illegal migrants. The State Border Guard and Illegal Migration Department of the Ministry of National Security are responsible for combating illegal migration.

The issues of labour migration, the regulation of the principles of residence for foreign employees and working out international agreements on employing workers are the responsibilities of the Labour Migration Division of the Labour Department in the Ministry of Labour and Social Protection of the Population. The Human Rights, Democratisation and Humanitarian Issues Department in the Ministry of Foreign Affairs is in charge of supervising international migration policy. All issues related to the status and protection of refugees are the responsibilities of the State Committee for Refugees and In-

ternally Displaced Persons. From a short period of time, it has also been responsible for conducting the procedure for granting refugee status.

5.2.3. International cooperation

Baku's foreign policy aims to maintain the balance between the influences of both Russia and the West with a willingness to obtain an external support to improve borders protection system and to regulate migration flow. This policy seems also to define Azerbaijan's external relationships in the field of migration. The activity of certain international organisations also influences Baku's policy. The popularity of individual countries among migrant workers plays a significant role. However, the Azerbaijani authorities do not seem to be truly interested in regulating the status of their citizens staying abroad.

In this context, Russia seems to be the main labour market for migrant workers from Azerbaijan. Moscow maintains a non-visa agreement with Baku, which allows for a free influx of labour immigrants. Aiming at maintaining the former principles of movement of people and easing restrictions for foreigners seems to be the leitmotiv of Azerbaijan's participation in cooperation within the Commonwealth of Independent States.

Including Azerbaijan into the European Neighbourhood Policy in June 2004 allowed for the extension of cooperation in the areas of interior and migration. As of this point, it has mainly been limited to financing migration flow-related research projects from EU funds. A process is underway to prepare Action Plans for the Caucasus countries, which will extend cooperation in the field of JHA, including visa policy and readmission. In 2006, the European Commission launched a two-year regional programme, entitled "An Integrated Approach to Promoting Legal Migration by Creating National Development Capabilities and Regional Dialogue between the Southern Caucasus and the European Union". The TACIS Action Plan for 2004–2005 for Azerbaijan for the first time includes a separate support program for migration.

Azerbaijan also cooperates with the UNHCR, the IOM and the ILO. It participates in the Budapest Process and the so-called Cluster Process, which includes the Caucasus states as countries of origin of migrants and several European states as countries of their residence, and is aimed at limiting illegal migration. Azerbaijan is in the course of negotiations on signing of agreements on readmission with Russia, Turkey, the Benelux countries, Denmark

and Switzerland, among others. Regarding cooperation in the area of labour migration, Azerbaijan has concluded an agreement with Saudi Arabia on sending out doctors to work in this country.

5.3. Conclusions

Azerbaijan is a country of intensive albeit decreasing migration flows. The highest migration movements were at the turn of the 1990s, when as the result of the outbreak of the Armenian-Azerbaijani conflict, almost the entire Armenian population left the country and a broad wave of Azerbaijani migrants from Armenia and Nagorno-Karabakh arrived. Since the mid-1990s, the basic trend, which has been maintained until today, has been labour migration. The main target country for this kind of migration remains Russia. Azerbaijan is gradually becoming a transit country, and also a target country for immigrants and refugees from the Middle East, South Asia and Africa. The problem of a large number of internally displaced persons (fugitives from the Karabakh conflict) which has remained unsolved for many years, must also be considered.

Mass migration in connection with the weakness of state machinery and the ineffective system of border protection has resulted in uncontrollable migration flows on the territory of Azerbaijan. Currently, when the largest streams have finished, the authorities are attempting to develop a comprehensive migration management system. Despite some progress, including the launch of a fight against illegal migration and attempts to supervise migration flows, it cannot be assumed that the Azerbaijani system will be able to handle possible migration pressure from the Middle East.

6. GEORGIA

Present Georgia is struggling with the depopulation problem which was caused, *inter alia*, by the wave of emigration from this country that took place after the collapse of the Soviet Union. It is estimated that since the beginning of the 1990s, as much as 20% of Georgia's population may have left the country. Moreover, several thousand persons have suffered from internal displacements as a result of the outbreak of military conflicts in Abkhazia and South Ossetia.

After the 'Rose Revolution' of November 2003, Georgia began to develop a comprehensive system for migration management, which hitherto had mostly fallen outside the state's control. One of the important elements of this process were the attempts to 'civilise' the labour emigration and to develop the new system of population registration. However, insufficient protection of the borders, and in particular a lack of supervision on the border with Russia (which is controlled by the regimes of Abkhazia and South Ossetia, not recognising the authority of Tbilisi), remain the key problems.

6.1. Migration movements

As in neighbouring Azerbaijan, the largest migration wave arose in Georgia in the first years after gaining independence. The internal crisis connected with the central government's loss of control over Abkhazia and South Ossetia, the civil war, economic collapse, and subsequent political chaos in Georgia in the early 1990s resulted in the beginning of mass labour emigration, which took place almost in parallel to ethnic migration. These emigration trends, albeit less intensive, are still present. On the other hand, according to official statistics, since 2004 Georgia has recorded a positive migration balance; this amounted to 5,500 persons in 2004, and reached 76,300 in 2005 (Table 25). It is hard to define the causes of such a sudden increase in the migration balance, since the Georgian Statistics Department only publish data on net migration, and does not provide data on the number of entries and exits¹³¹.

According to the estimations made by local experts, a total of 1.2 million citizens emigrated from Georgia after the collapse of the USSR. Pursuant to the results of the national census of 2002, 1,114,000 persons left Georgia in the period 1989–2001. Following the data from the State Statistics Department, calculated indirectly on the basis of the number of entries and exits, the negative migration balance in the period 1990–2005 was 886,000 persons (Table 25). Officially, the annual data on external migration recorded by Visas and Registration Divisions are lower, and result from the incompleteness of the exit registration system, as is confirmed by government officials.

¹³¹ www.statistics.ge/_files/english/population/Vital%20Statistics.doc

Table 25. Migration balance in Georgia in the period 1990–2005 (in thousands of persons)¹³²

Year	Migration balance
1990	-13.2
1991	-22.6
1992	-139.3
1993	-140.9
1994	-142.6
1995	-127.2
1996	-123.1
1997	-59.9
1998	-39.2
1999	-36.3
2000	-35.2
2001	-31.2
2002	-29.1
2003	-28.6
2004	5.5
2005	76.3
Total	-886.6

Source: State Statistics Department of Georgia

With regard to its difficult socio-economic situation, Georgia is not considered an attractive country for immigrants. However, some incidents where Georgia's territory has been used to conduct illegal transit migration were recorded, although they were not of a mass nature.

6.1.1. Ethnic migration

Ethnic migration in Georgia was of a quite different nature than in the other countries of the Southern Caucasus. Firstly, during the Soviet period, Georgia was the most multi-ethnic country among Caucasus republics. Secondly, the conflicts which erupted on Georgian territory at the beginning of the 1990s, were of an internal nature and developed within specific ethnic/cultural zones. The result of these conflicts was an increase in the ethnic homogeneity

¹³² These data do not include migration movements on the territories of Abkhazia and South Ossetia.

of Abkhazia (except for the Gali region), from which around 260,000 Georgians escaped to Georgia in 1992–1992, and in some areas of South Ossetia, which about 11,000 persons left. Analogous trends emerged in the case of the Ossetians and Abkhazians living in ‘Georgia proper’.

Forced migration from and to Georgia took on a regional aspect as well. The Ossetians moved to the Russian-controlled North Ossetia, among other places. Apart from that, some Armenians and Azeris moved to their homelands.

The outbreak of ethnic conflicts and the nationalistic policy conducted by the first Georgia government against ethnic minorities resulted in an increase in the number of departures outside Georgia and the Caucasus. This type of emigration particularly affected the population of Russians (the number of which decreased by around 80% in the period 1989–2002)¹³³, Belarusians, Ukrainians, Armenians, Jews and Greeks. The main target country for migrants in this case was Russia. The migration of ethnic Azeris, who were living in the Kvemo Kartlia region, has proceeded more slowly.

In accordance with its approved international obligations, Georgia obliged itself to provide residence on its territory for the Meskhetian Turks, who had lived in south-western Georgia until 1944. Resettled to Central Asia under Stalin’s orders, they left the Ferghana Valley because of ethnic persecutions at the end of the 1980s. At present, they live in the southern districts of Russia (from where their repatriation process to the USA is under way) as well as in Azerbaijan and in Ukrainian Crimea. According to estimates, there are between 200,000 and 300,000 Meskhetian Turks on CIS territory. Despite the Georgian government prepared a repatriation program for this group still in years 2002–2003, it has not yet been accepted. Their possible settlement is complicated by the fact that the former living areas of this ethnic group are currently occupied by Armenians.

6.1.2. Labour migration

During the national census conducted in Georgia in 2002, 113,000 families declared that someone from their closest family members was abroad in order to work. In the opinion of some researchers, these figures have been reduced

¹³³ According to the data from 1989 census, there were 341,200 Russians living in Georgia, whereas in 2002 only 67,700.

because the census was unable to record those families of whom all the members had migrated.

The average migrant workers from Georgia are aged not more than 49, and come from urban areas; about 60% of them are men. Russia accounts for app. 65% of a total number of leaves. However, a slight decrease in this trend has been observed, resulting from Russia's introduction of visas for citizens of Georgia. The inhabitants of Abkhazia and South Ossetia (formally belonging to Georgia) who are not included in these statistics, usually have Russian citizenship and have no problems migrating there. Such western countries as Greece, Turkey, the USA, and Germany are the most frequently chosen target countries. Migrants from rural areas usually choose Russia, whereas the inhabitants of Tbilisi prefer western countries. Women migrate most often to Greece. Turkey, which in February 2006 abolished mandatory visas for the citizens of Georgia, is a popular transit country on the route to Western Europe¹³⁴. After the results of the research conducted by the International Organisation for Migration in 2003, concerning the range of remittances sent by the migrants to Georgia, it is estimated that around US\$480 million is transferred to Georgia annually.

6.1.3. Georgia as a route for illegal migration

Illegal immigrants from outside the region (Iranians, Kurds, and Iraqis) mostly migrate to Georgia *via* the border with Azerbaijan. They then migrate to Western Europe (either by air, or land and sea *via* the border with Russia). Until Georgia regained its plenary power over Ajaria, the area bordering with Turkey, controlled by the leader of the time Aswan Abashidze, was a common place for illegal border-crossings, often in return for a bribe. This route remains popular among illegal migrants. There are also cases of human smuggling *via* Abkhazia¹³⁵. Research conducted by the International Organisation for Migration showed that the main target countries for illegal migrants are Turkey, Russia and Greece¹³⁶.

Illegal migration seems to be of organised nature. In the opinion of some experts, the persons organising illegal migration on the territory of Georgia are

¹³⁴ See IOM, *Abroad or Hunger at Home: A Study of Irregular migration from Georgia*, Tbilisi 2001.

¹³⁵ See A. Kukhianidze, A. Kupatadze, R. Gotsiridze, *Smuggling through Abkhazia and Tskhinvali Region of Georgia*, Tbilisi 2004, page 36.

¹³⁶ IOM, *Hardship Abroad or Hunger at Home – A Study of Irregular Migration from Georgia*, 2001.

connected with Russian and Georgian organised crime syndicates and Georgian junior officials.

As in Azerbaijan, Georgia is both a transit country and a country of origin for victims of human trafficking. In the opinions of American experts, human trafficking in Georgia has reached a high, but not yet alarming level¹³⁷. The victims of this business are usually women (who are exploited as prostitutes or as the workforce) and children. Women coming from Georgia, as well as these smuggled via Georgia from Eastern European countries, are often sent to Turkey or the United Arab Emirates.

6.1.4. Refugees and internally displaced persons

According to data from the State Verification Commission established to define the number of refugees from Abkhazia and Southern Ossetia, living on Georgia's territory, there were 208,000 such persons in this country in 2005. This number might however be lower, since many refugees were afraid to register because they might have lost their rights to their property in their former places of accommodation, or gain a compensation¹³⁸. According to the UNHCR information, there were 234,000 IDPs in Georgia at the end of 2005¹³⁹. Within the last few years, around 35–40,000 refugees returned to the Gali region in Abkhazia. Moreover, there are a few thousand refugees from Georgia itself on the areas of Abkhazia and South Ossetia, which are not controlled by the Georgian central government.

There are app. 3,000 Chechen refugees in Georgia (mostly in the Pankisi Gorge)¹⁴⁰. Around 2,500 refugees are registered in the Ministry of Refugees and Settlement. The presence of Chechen refugees has caused serious problems in Russian-Georgian relationships in the past. Georgia has allowed representatives of the Russian migration service to enter the territory of the ravine several times, and has conducted a campaign for the voluntary repatriation of Chechens, all with the aim of reducing tensions in its relations with Moscow. A majority of the refugees refused to come back. The representatives of the

¹³⁷ Ann Graham et al., *Governance & trafficking in persons – Georgia: assessment, inventory and proposed activities*, report produced for USAID/Georgia and USAID Bureau for Democracy, Conflict and Humanitarian Assistance, May 2004.

¹³⁸ Despite the fact that the state verification program did not mention such possibility.

¹³⁹ However according to data of the Ministry of Refugees and Accommodation, there were about 260,000 internally displaced persons at the end of 2004.

¹⁴⁰ At the beginning of the second Chechen war their number amounted to 7,000–9,000.

refugees accuse the Georgian authorities that, the so called anti-criminal operations among the Chechen population forced by Russia, constitute the pretext to conduct illegal arrestment procedures and deportations.

6.2. Migration policy

The state reforms being conducted by the present government are both of revolutionary and simultaneously quite chaotic nature, a fact which also influenced the underdeveloped migration management system. New legal acts are being adopted and new structures established. It also seems that the Georgian government has no clear vision for the final form of this system, nor a concept of a migration policy. According to official statements, the currently deployed system will be based on solutions approved by the EU states.

6.2.1. Evolution

Because of the outbreak of ethnic conflicts and civil war and the further crisis of state institutions, Georgia undertook the development of a migration policy later than the other post-Soviet countries. Furthermore, a crisis in the statistics services of the country emerged, which resulted in a practical absence of registration of the first and largest migration wave out of this country.

The first element of a process to develop the migration management system was the approval of basic acts and laws, including Law on Citizenship (1993), on Immigration (1993), on the Legal Status of Foreigners (1993), on Emigration (1993), and on the Registration and Identification of Citizens and Foreigners Living on the Territory of Georgia (2000). The adopted legislature is of a relatively restrictive nature, and makes it difficult for the foreigners to settle in Georgia and obtain citizenship unless they are of Georgian origin. On the other hand, abolishing the permissive nature of registration and the relevantly liberal visa law encourages those foreigners who do not intend to settle to come and visit. The Georgian authorities tried to regulate the issues related to control over migration flows, and in 1998 adopted a provision on introducing so-called migration cards, which however did not work in practice.

The subsequent phase of developing the migration management system was the establishment of structures and legislature for the purposes of regulating residence and protection of internally displaced persons and the refugees. In 1996, a Law on Internally Displaced Persons was adopted. The Ministry for Refugees and Settlement was established. Although the situation of the internal fugitives in Georgia seems better than that of displaced persons in Azer-

baijan, they also face difficulties in integration in their new place of residence. This situation improved slightly after the year 2000; among other measures, provisions enabling the displaced persons 'temporary integration' were adopted, and actions to improve their residential conditions were taken. In August 1999, Georgia ratified the Geneva Convention on the refugees' status. The next stage of development of a migration policy is connected with the 'Rose Revolution' and a radical reorganization of the state, which was its direct result. A process of radical reconstruction of the previous legislation in the area of migration policy was launched. Work on new laws on immigration, the status of foreigners, labour migration and the concept of a migration policy are under way or have already been completed. As government representatives emphasise, Georgia's priorities in the area of migration are to modernise the legislature, complete the reform of migration institutions and to widen the scope of international cooperation. Georgia has also prepared a detailed action plan in the area of counteracting human trafficking.

At present, the key priority for Georgia is the preparation of up-to-date legislature in the area of labour migration. This is partially regulated by a Law on Temporary Entry, Residence and Exit of Foreigners from Georgia, and a document regulating the principles for registering citizens and foreigners staying on the territory of Georgia. Works on a Law on Labour Migration, the first such since gaining the independence, which would regulate such issues as: ensuring the legal protection of Georgian workers abroad, legalising remittances from emigrants, creating new workplaces for qualified workforce, and developing a migration-related database, are under way. In order to encourage Georgian emigrants to return to the country, the possibility of introducing dual citizenship is also being considered.

6.2.2. Structures

In the course of the process of reorganising the state administration, it is hard to define the actual functions, which particular institutions and departments perform. It also seems that the Georgian authorities do not have any clear vision for the final form of a migration management system. Institutions responsible for migration-related issues include: the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Labour, Health Protection and Social Care, the Ministry of Refugees and Settlement and the Ministry of the Interior. The Ministry of Foreign Affairs (in particular its Consular Department) plays an important role in preparing legal acts on migration. Moreover, this Minis-

try is responsible for conducting international cooperation in the area of migration and protecting Georgian citizen's rights abroad.

The scope of the Ministry of Justice's duties is as follows: conducting a population registration system, issuing residence permits to foreigners, issuing emigration permits, preparation of legislative projects in the area of migration, and conducting deportation procedures.

The Ministry of Labour, Health Protection and Social Care is responsible for issues of labour migration and the social protection of immigrants. It is also, together with the Ministry of Foreign Affairs, in charge of negotiations and preparation of international agreements on readmission, workforce protection and defining quotas for foreign employees.

The Ministry of Refugees and Settlement is responsible for issues related to granting refugee status, registration and providing support to the refugees and internally displaced persons, as well as accepting plans in the area of migration and developing a migration development system. It is also in charge of the control and registration of migration flow. This office was established in 1994, and is one of the longest-existing institutions handling migration-related issues.

The problems of combating illegal migration come within the competences of the Ministry of Interior and the Border Protection Department which is subject to it.

6.2.3. International cooperation

After the 'Rose Revolution', the newly-elected Georgian government activated its cooperation with worldwide international organisations, the European Union and Western countries. In June 2005 in its desire to demonstrate the country's Euro-Atlantic aspirations, the Georgian parliament adopted an act on the unilateral abolition of visas for citizens of the EU and other Western countries. As part of the EU's European Neighbourhood Policy programme, work is under way on preparing an Action Plan for Georgia, which will include a visa and readmission policy. A special European Union's mission (EUJUST THEMIS), which was responsible for reform of the justice system, operated in Georgia for a year (from June 2004), whereas since 2005 EU border experts have been working in Georgia and supporting the process of monitoring the Russian/Georgian border. The EU has also prepared training for officers of the Georgian border guard and police.

Georgia is a member of the IOM and ILO, and cooperates actively with the UNHCR. Georgia also cooperates with other Western countries in the so-called

Cluster Process, which supervises the process of the return of illegal immigrants. Georgia has signed readmission agreements with Italy, Ukraine, Switzerland and Bulgaria, among others, and is negotiating the conclusion of similar agreements with the Benelux countries, the Czech Republic and Germany. It also undertakes to conclude as many agreements as possible which will enable its citizens to be legally employed abroad.

In regard to the generally poor relations between Georgia and Russia, the co-operation of those states in the area of migration is not proceeding well. Visa regime has been introduced for the movement of people across the borders, which makes it difficult for the Georgians to work in Russia. In 2004, Georgia introduced visa facilitations for the Russian citizens, which enabled them to obtain visas at border crossings. It has also made a proposal to Russia to launch negotiations to mutually abolish visas. However, the visa-related issues have become a kind of 'hostage' to the current conflicts between these two countries, and so a quick liberalisation of movement of people is not yet expected. During the fall of 2006 a serious crisis in Russo-Georgian relations ensued, which led not only to Russia halting the issuance of visas to Georgian citizens but also to massive deportations of Georgians and to breaking off of the transport with Georgia. Georgia participates in migration-related cooperation, which is conducted within the frameworks of the CIS, in a highly limited manner.

6.3. Conclusions

Georgia is an country of emigration. The main wave of migration movements was in the 1990s. At present the migration flows are stabilising, however, there is still labour migration from this country. A significant decrease in the current rate of those departing abroad is not to be expected in the short-term perspective. The main target country for emigrants is Russia, but considering both the visas in this country and the development of an anti-immigrant climate of opinion in Russia, countries such as Turkey and the Western European states are becoming ever more popular.

There is a large number of internal refugees from South Ossetia and Abkhazia in Georgia. During the last few years the authorities have undertaken certain steps in order to improve their living conditions. Moreover, there are Chechen refugees living in the Pankisi Gorge, who in the past were a source of serious conflicts in Russian-Georgian relations.

Compared to its neighbours, Georgia has the poorest-developed migration policy, which in connection with serious insufficiencies in the area of border control, makes it difficult to control cross-border movement in an effective manner. The lack of many regulations and the government's aim of a total restructuring of the migration management system may, in the long-time perspective, help to create an up-to-date and well-considered migration strategy.

The main focus of Georgia's international cooperation in the area of migration is Europe. At the same time, another target of Georgian policy which is of a great significance from the viewpoint of social needs, is to improve relations with Russia, including mitigating the visa regime. Moreover, Georgia cooperates with such organisations and agendas as the IOM, the IOL, the UNHCR and the OSCE in an active manner.

7. ARMENIA

The history of the Armenian nation is abounding in examples of mass emigration, displacements and repatriation. Above all it is necessary to mention the mass exodus from the Ottoman Empire connected with the Armenians' genocide in 1915 and the repatriation of Armenians to the USSR from Turkey and Middle Eastern countries, which took place after the Second World War. Many centuries of emigration have resulted in development of a scattered around the world diaspora, which is of a greater number than the current population of Armenia itself. In 1988, Armenia suffered from an earthquake, as a result of which around 200,000 people left the country¹⁴¹. It is thus no surprise that the response of Armenians to an outbreak of ethnic conflicts in the South Caucasus as well as the socio-economic collapse was permanent emigration. It is estimated that after the collapse of the USSR, more than a quarter of the Armenian population left the country.

7.1. Migration movements

The course of migration movements in independent Armenia may be divided into two basic phases. The first one was connected with the Armenia-Azerbaijan conflict, which erupted in the final years of the USSR, as well the pro-

¹⁴¹ See Gevork Poghosyan, *Migration processes in Armenia*, September 1998.

cesses of ethnic homogenisation, which led to an outflow of representatives of the national minorities and initiating the migration process of the ethnic Armenians. The departure of the Armenians was the fundamental feature of the second migration wave, which was based on socio-economic reasons. This kind of emigration is currently at a lower level, although it still persists.

In the opinion of local experts around 800,000 to 900,000 people left Armenia, whose population had amounted to over three million after the collapse of the USSR. However, some estimations even show as much as 1.1 million people. According to calculations from the Armenian Air Agency in the period 1989–2001 the negative migration balance amounted to more than 600,000 persons (Table 26). This number does not include those persons who left country by land. According to the national census of 2001, 800,000 persons emigrated from Armenia during the period between the censuses (years 1989–2001). These persons included both emigrants leaving the country for ethnic reasons, and those leaving for economic reasons.

Table 26. External people movements in Armenia in the period 1992–2001 (in thousands of persons)¹⁴²

Year	Incoming	Outgoing	Migration balance
1992	639.9	865.5	-225.6
1993	689.9	831.0	-141.1
1994	470.0	597.8	-127.8
1995	469.5	507.0	-37.5
1996	469.9	517.4	-47.5
1997	473.6	504.9	-31.3
1998	415.5	439.7	-24.2
1999	311.4	318.6	-7.2
2000	292.7	318.4	-25.7
2001	380.2	403.9	-23.7

Data provided by the aviation authorities of the Republic of Armenia

¹⁴² Calculated on the basis of data on entries and exits to Armenia, which were taking place on the border-crossings in the airports. Data from vehicles and trains' border crossings have been collected since 2000.

Table 27. Migration balance in Armenia in the period 1999–2004 (in thousands of people)¹⁴³

Years	Immigrants	Emigrants	Migration balance
1999 total	1.7	8.6	-6.9
1999 CIS countries	1.4	6.9	-5.5
1999 other countries	0.3	1.7	-1.4
2000 total	1.6	12.0	-10.4
2000 CIS countries	1.2	11.1	-9.9
2000 other countries	0.4	0.9	-0.5
2001 total	1.6	11.9	-10.3
2001 CIS countries	1.5	10.7	-9.2
2001 other countries	0.1	1.2	-1.1
2002 total	1.7	10.9	-9.2
2002 CIS countries	1.1	8.5	-7.4
2002 other countries	0.6	2.4	-1.8
2003 total	1.9	9.5	-7.6
2003 CIS countries	1.4	7.7	-6.3
2003 other countries	0.5	1.8	-1.3
2004 total	1.5	9.2	-7.7
2004 CIS countries	1.2	7.6	-6.4
2004 other countries	0.3	1.6	-1.3

Data provided by the Armenian National Statistical Service

According to estimates from independent experts, around 50,000 – to 60,000 people leave Armenia each year. According to official data, the migration balance in 2005 calculated on the basis of the number of exits and entries at the borders was positive, and amounted to 12,500¹⁴⁴. However, the balance calculated on the basis of data provided by the Regional Visa and Registrations Divisions (OVIRs) showed a 6,000 advantage of emigration over immigration. During the first nine months of 2006 the migration balance was negative and amounted to 37 thousand persons. During the last few years, Armenia has recorded some cases of immigration by representatives of the Armenian diaspora, as well as by citizens of Armenia who had left the country during the wave of emigration in the 1990s.

¹⁴³ Calculated on the basis of information provided by the Visas and Registration Divisions (OWIR's).

¹⁴⁴ Migration Agency data.

7.1.1. Ethnic migration

The reason for ethnic immigration by the Armenians to Armenia and the emigration of Azeris from this country was an increase in clashes between Armenians and Azeris, and the outbreak of the Karabakh conflict. In the period 1988–1992, the Armenian population left the territories of Azerbaijan en masse, mostly Baku, Sumgait, Kirovabad (presently Ganca), and the areas adjoining the Nagorno-Karabakh enclave. Moreover, in the course of the military conflict, part of the Armenians living in Nagorno-Karabakh escaped to Armenia. A few thousand Armenians also left war-torn Abkhazia. Towards the end of 1993 there were 330,000 refugees from Azerbaijan and 78,000 internally displaced persons registered in Armenia¹⁴⁵. Also, the Armenian refugees from Abkhazia and later from Chechnya came to Armenia.

Armenia, which is the most mono-ethnic of all the Soviet Caucasus republics (Armenians made up around 93% of the total population of Armenia in 1989), was also a place of repatriation of Russians and other Slavs. This country has also been abandoned by Jews, Kurds, Greeks and others. Except for the Azeris, there were relatively small flows, compared to migration flows by national minorities from the other countries in the region. It is estimated that around 44,000 Russians left Armenia, and around 14,000 of them stayed, including representatives of religious sects, who had been exiled to the Caucasus in the nineteenth century¹⁴⁶. Large number of Kurds and Yasidis also left the country.

7.1.2. Labour migration

Because of the undocumented nature of labour migration from Armenia, there is no data on detailed number of temporary migrant workers abroad. Based on the estimations by S. V. Ryazancev, there are probably around 700,000 Armenian citizens working abroad. In the opinion of the experts, who compiled the report “Work migration from Armenia in the period 2002–2005”, there were between 116,000 and 147,000 persons migrating in the given period. Moreover, between 12% and 15% of the total number of households were connected with work migration (in the case of around 80% of these households, one family member was resident abroad, and more than one in the rest of these cases). The study reveals that around 90% of migrants had gone to

¹⁴⁵ The UNHCR data.

¹⁴⁶ Data of the national census.

work in Russia¹⁴⁷. Therefore, to estimate the total number of Armenian citizens working abroad, Russian sources should be consulted. When comparing the number of Armenians living in Russia in 1989 to that in 2002, it appears that this number has increased twofold in this period (from 532,000 to 1,130,000)¹⁴⁸. According to the estimates by V. Mukomel of 2005 which were cited above, there are around 280,000 Armenians working illegally in Russia¹⁴⁹.

Migrant workers also leave for Western European countries and the United States; they frequently choose Poland. In contrast to citizens of the other Southern Caucasian countries, they do not consider Poland as only a transit country, but also as a target country for their migration. From January 2003 to January 2006, Armenian citizens submitted 6601 applications in Poland for residential permits, settlement permits and refugee status¹⁵⁰. In the late 1990s, citizens of Armenia were one of the most numerous groups applying for refugee status in Poland. Currently, most applications are for settlement permits. In order to legalise their stay in Poland, citizens of Armenia often decide to marry a Polish citizen or extend their residence visas. Moreover, groups of Armenian immigrants stay in Poland illegally. In the opinion of Armenian experts, there are around 50,000 Armenians in Poland.

As in Moldova, the financial resources sent by migrants to their families are significant, and sometimes the most important, source of revenues for Armenian society. Based on calculations conducted at USAID's request, these transfers amounted to around US\$900 million in 2003, whereas the official sources state a figure of around US\$300 million (around 10% GDP)¹⁵¹. Calculations of the International Monetary Fund are two times lower.

7.1.3. Illegal transit migration

Because of its peripheral geographic location and the current blockage of the majority of its borders, Armenia is situated outside most routes of illegal migration from the Middle East and South Asia to Europe. In the period

¹⁴⁷ A. Minasyan, B. Hancilova, Economic migration from Armenia In 2002-2005: A Sociological Survey of Households, OSCE and Advanced Social Technologies NGO, 2005.

¹⁴⁸ Data of national census.

¹⁴⁹ V. Mukomel, 'How many immigrants...', *op. cit.*

¹⁵⁰ Data of the Office for Repatriation and Foreigners.

¹⁵¹ Remittances in Armenia: Size, Impacts, and Measures to Enhance their Contribution to Development, report submitted to USAID/Armenia, October 2004.

2001–2003 65 Armenians and foreigners were arrested on charges of organising illegal transit for immigrants. According to the representatives of the Armenian Interior Ministry, some of the arrested were connected with crime structures operating in Russia. In addition, employment agencies are known to participate in the transit of illegal immigrants.

Illegal migration from Armenia to Europe is conducted mostly by air. In 2004, Russian border services protecting the borders between Armenia, Turkey and Iran arrested 199 persons, who had attempted to cross the border illegally, and 647 persons who had used forged documents when crossing the border. Within the first three months of 2005, the Russians had arrested 50 people for violating the provisions of Armenia's border-crossing, including 49 persons with forged documents. These included citizens of India, Turkey, Afghanistan, Pakistan and China.

Despite a certain increase in illegal crossings, Armenia's borders do not seem to be particularly exposed to this phenomenon. This situation may rapidly change in the case of outbreak of any possible crisis in Iran.

7.1.4. Refugees and internally displaced persons

According to UNHCR data, the number of Armenian refugees staying in Armenia at the end of 2005 was 219,000. However, it seems that the actual number of refugees staying in Armenia is lower when considering the high indicators of emigration to Russia of this part of the population. In connection with the government's policy of integration, around 70,000 refugees from Azerbaijan were granted Armenian citizenship. Referring to the calculations of the Norwegian Council for Refugees and the Armenian Migration Department, the International Centre for Migration Policy Development estimated that there are around 8,000 internally displaced persons in Armenia, who were resettled as a result of the Karabakh conflict¹⁵².

Armenia is not a popular country for settlement for the refugees from outside the region. In 2004, 60 Iraqi citizens obtained a right of temporary residence in Armenia because of military actions conducted in their country. In the period 2000–2004, 150 foreigners applied to the Department for Migration and Refugees for refugee status on the basis of the Geneva Convention, of which 11 applications were approved.

¹⁵² ICMPD, Overview... , *op. cit.*, page 36.

7.2. Migration policy

Compared to other countries in the region, Armenia has a relatively well-developed migration policy. It governs pursuant to basic legal acts, although these are partially different from the legislative model in force in the European countries. Armenia has not implemented many assumptions of its migration policy because of both financial difficulties and ineffective administration.

7.2.1. Evolution

As in the other states which were established after the collapse of the USSR, the first stage in the development of Armenia's migration policy was the adoption of basic legal acts, such as the Law on the Legal Status of Foreigners (1994), on Citizenship (1995), and on Refugees (1999). In November 2000, Armenia was the first country in the Southern Caucasus to approve a plan for a state regulation of population migration. This concept established: the structures responsible for migration-related issues, rules for regulating migration flows and specific tasks in the area of migration policy and their deadlines. The document defines the following tasks for Armenia's migration policy: to develop the system of immigration control, to integrate refugees and forced immigrants who cannot return to their places of residence, to develop a system for forecasting the influx of forced migrants, to provide support to the IDPs in their return to permanent places of residence, and to reduce permanent emigration.

A subsequent stage in the development of a migration policy was the regulation of the rules of residence and protection of refugees & internally displaced persons. Acts which enabled refugees from Azerbaijan to obtain a citizenship were then adopted. A program for assigning accommodation and social welfares and issuing identity documents was launched as well.

Pursuant to the provisions of the governmental decree of June 2004 on migration policy, in the current stage of the migration policy development Armenia will aim to achieve the following goals: developing an effective system of migration flow management, separating the competences of particular institutions and agendas responsible for border protection¹⁵³, integrating Armenia with the international labour market and supervising the phenome-

¹⁵³ Armenia's borders with Turkey and Iran are protected by the Russian border troops.

non of work migration, supporting the repatriation of highly qualified Armenian citizens who live abroad, combating illegal migration and human trafficking, and improving living conditions of the refugees.

In 2004, Armenia launched the development of a computer database of migration flows, in which passport data from travellers at all existing border control points will be collected. It also adopted a draft law on external labour migration. The new act will focus on regulating: the principles of concluding agreements with foreign employers, compliant with the law on dealing with migrant workers outside Armenia, and the methods of legalisation of financial remittances sent by migrants to their families in the country. Armenia is also working on introducing dual citizenship to attract the rich Armenian diaspora to return.

7.2.2. Structures

There is a single institution in Armenia which is responsible for most of the migration policy. The State Department for Migration and Refugees (at present called the Migration Agency), which was established in 1999 as a result of extending the competences of the office for refugee-related issues, is responsible for the migration policy of Armenia in its broadest sense. Tasks related to the social protection of immigrants, defining the employment principles, etc. are also conducted by the Ministry of Labour and Social Welfare. This Ministry is also in charge of devising a strategy in the area of work migration.

The Migration Agency (the former Department for Migration and Refugees) is a governmental structure, which since May 2005 has been subject to the Ministry of Territorial Administration. It is responsible for developing projects of legal standards for migration, negotiating international agreements, registering refugees and internally displaced persons and their social protection, granting them refugee status and temporary 'protected person' status, and devising a system of migration flows control. It seems that part of the competences of the Agency and the rights of the Ministry of Labour and Social Welfare are overlapping.

Furthermore, the power structures have competence in the area of migration: the Police (the former Interior Ministry) and border guard, operating within the Ministry of National Security. The Police are responsible for a popu-

lation registry system. Also, a department for combating organised crime operates within this institution, as does a division for combating illegal migration.

7.2.3. International cooperation

Armenia cooperates closely with Russia. Its status as a loyal Russian ally means that citizens of Armenia suffer less from restrictions in the Russian migration policy compared to citizens of other CIS countries. Thanks to agreements in force: concerning the legal status of Armenian citizens who permanently live on the territory of the Russian Federation and the citizens of the RF living permanently on Armenian territory, on the regulation of voluntary re-settlement processes, on the work of immigrants and the social protection of migrant workers, the citizens of Armenia are provided with relatively good social and legal protection on the territory of Russia.

Armenia actively participates in a number of plans and actions undertaken by the CIS in the area of migration, and is also a signatory of agreements on combating terrorism and border crime, adopted within the framework of the Collective Security System Organisation.

Armenia was the first member of the IOM in the territory of the CIS. Since 1993, it has been a signatory of the Geneva Convention. It also benefits from the OSCE advisory in the area of preparing legal acts. It participates in the European Neighbourhood Policy. The European Union has financed in Armenia a research programme aimed at improving methods of collecting data on migration flows.

Armenia's bilateral cooperation with other countries is developing actively. This country has signed readmission agreements with Denmark, Switzerland and Lithuania, completed negotiations concerning these issues with the Czech Republic, Germany, Sweden, Ukraine and the Benelux countries, and is in the course of negotiating agreements with Russia, Bulgaria, Romania, Ukraine and Norway. In cooperation with Switzerland, Armenia is implementing a programme on supporting the reintegration of Armenian emigrants coming back from this country. It has also concluded an agreement with Qatar on the legal employment of Armenian nurses there.

7.3. Conclusions

Economic collapse, political instability and above all the outbreak of the bloody military conflict with Azerbaijan caused the basic demographic trend of independent Armenia to be the mass emigration of its inhabitants. The main target country remains Russia; Poland is also chosen relatively often. Armenian-Azerbaijani antagonism has caused mass departures by the inhabitants of Azeri nationality and an influx of Armenian refugees from Azerbaijan.

Armenia's migration policy is relatively well-developed and operates on basic documents and structures. However, a part of the assumptions of this policy has never entered into force, which results from both financial difficulties and ineffective administration.

Armenia is conducting an active external policy in the area of migration. It cooperates closely with Russian and international organisations operating on CIS territory, which means that the citizens of Armenia in Russia are provided with relatively good social and legal protection. Armenia also cooperates with the IOM, the ILO, the OSCE and the European Union, and has signed readmission agreements with some European countries.